

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
W/S Necker Avenue, 149 ft. E * ZONING COMMISSIONER
of 1/1 Hanf Avenue * OF BALTIMORE COUNTY
Silvergate East *
11th Election District *
5th Councilmanic District * CASE # 92-481-SPH
Charles W. Mauerhan, et ux *
Ronald W. Chapman, et ux *
Petitioners *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing, seeking approval of the Third Amendment to the Silvergate East Final Development Plan, incorporating the deletion of Lot No. 27 in accordance with the Baltimore County Zoning Regulations (B.C.Z.R.) Section 1B01.3.A.7.b. The request is made so as to bring the Final Development Plan in conformance with the record plat, as more particularly shown on Petitioners' Exhibits Nos. 1 thru 5, the plats to accompany the Petition for Special Hearing.

The Petition is filed by Charles W. and Helen K. Mauerhan, property owners at 4304 Necker Avenue, and Ronald W. and Diane H. Chapman, property owners at 4308 Necker Avenue.

Appearing at the hearing was J. Strong Smith, the Engineer from G.W. Stephens and Associates, Inc., who prepared the plats. Also appearing were the Petitioners and several contract purchasers of certain lots to be created adjacent to the Silvergate subdivision. Lastly, James E. Matthews of Oak Investment Company, Inc. appeared in support of the Petition. There were no Protestants present.

This is the second occasion which a Petition for the subject property

MICROFILMED

has come before me. By my Order of May 15, 1992, I granted a Petition for Special Variance (Case No. 92-374-SA) permitting a variance from the strict application of transportation standards of intersections for a non-industrial development, pursuant to Section 4A02.4.D of the B.C.Z.R. Thus, I have recently made findings that the Petitioners proposed subdivision will not adversely affect the surrounding locale. In the instant case, Mr. Smith testified and described the history of the site and the need for the Third Amendment to the Final Development Plan. He related that the record plat for that subdivision known as Silvergate East was originally filed in 1988 and showed 27 lots (see Exhibit No. 1). Subsequently, a Second Amended Plan was filed (see Exhibit No. 2). Both of these plans showed the Mauerhan lot as part of the subdivision and specifically identified as Lot No. 27. Subsequently, the Mauerhans, and their immediate next door neighbors, Mr. and Mrs. Ronald Chapman, arranged for a land swap so as to correct the irregular shape of their respective properties. Further, Preakness Homes subsequently purchased the lot and refiled a record plat (Petitioners' Exhibit No. 4) which excluded Lot No. 27, also known as the Mauerhan lot.

The Petitioners now come before me with a Third Amended Final Development Plan, marked as Petitioners' Exhibit No. 5 for which they seek approval. As Mr. Smith pointed out, the Third Amended Plan is offered so as to bring same into compliance with the record plat previously filed and to correct changes to the ownership and the dimensions of the properties as outlined above. Further, it is noted that the Chapman property has been subdivided so as to create three (3) additional lots. This is significantly less than the seven (7) which would be permitted pursuant to the zoning on the property, D.R.5.5, and the applicable density thereto. This subdivision has obtained the necessary waivers and approvals and the property owners are

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awaiting only my approval of the instant Petition before proceeding further. Lastly, Mr. Smith noted that the Planning Board has approved the proposed Final Development Plan as indicated in the memorandum of P. David Fields to me dated June 23, 1992.

Further, a comment is in order as to the Zoning Advisory Committee comments which have been issued in this case. The comment from Developers Engineering Division suggesting a landscaping plan is already contained within the general notes attached to the plan. Further, State Highway Administration's original comment dated June 24, 1992 has been withdrawn. The other various agencies of Baltimore County have no adverse comment.

In considering the merits of the special hearing before me, I am persuaded by Mr. Smith's testimony that a substantial basis exist to grant the special hearing. Consistent with my findings in the previous case related to this property, I do not believe that development, in accordance with the Final Development Plan, will be adverse to the surrounding locale and should, therefore, be granted. Further adoption of the Third Amended Final Development Plan will be consistent with the record plat on file. For these reasons, the Petition shall be granted and I will so order.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the Petition for Special Hearing should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 30th day of July, 1992 that, pursuant to the Petition for Special Hearing, approval of the Third Amendment to the Silvergate East Final Development Plan, incorporating the deletion of Lot No. 27, in accordance with Section 1B01.3.A.7.b of the B.C.Z.R., so as to bring the Final Development Plan in conformance with the record plat, be and is hereby GRANTED, subject,

-3-

MICROFILMED

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning
Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

July 30, 1992

Mr. and Mrs. Charles W. Mauerhan
4304 Necker Avenue
Baltimore, Maryland 21236

Mr. and Mrs. Ronald W. Chapman
4308 Necker Avenue
Baltimore, Maryland 21236

RE: Petition for Special Hearing
4304-4308 Necker Avenue
Case No. 92-481-SPH

Ladies and Gentlemen:

Enclosed please find a copy of the decision rendered in the above captioned matter. The Petition for Special Hearing has been granted.

In the event any party finds the decision rendered unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Appeals Clerk at 887-3391.

Very truly yours,
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm
encl.
cc: Mr. J. Strong Smith
George W. Stephens, Jr., and Assoc., Inc.
Mr. James E. Matthews
Oak Investment Company, Inc.

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Petition for Special Hearing

to the Zoning Commissioner of Baltimore County
for the property located at Silvergate East
which is presently zoned DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

A third amendment to the Silvergate East Final Development Plan incorporating the deletion of Lot 827 in accordance with B.C.Z.R. Section 1B01.3A.7.b. to comply with Record Plat.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Continued Petitioner/Owner:

(Type or Print Name)

Signature

Address

City State Zip

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City State Zip

With an authority decision and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):
Charles W. Mauerhan (4304)
Ronald W. Chapman (4308)
Diane H. Chapman
Ronald W. Chapman
Diane H. Chapman
Ronald W. Chapman
Diane H. Chapman

4304 Necker Avenue
4308 Necker Avenue
Baltimore, Maryland 21236

George W. Stephens, Jr. & Associates, Inc.
658 Kenilworth Drive, Suite 100 825-8120
Towson, Md. 21204

OPINION ONLY
45 Paid

RECEIVED BY: DATE: 6/16/92

MICROFILMED

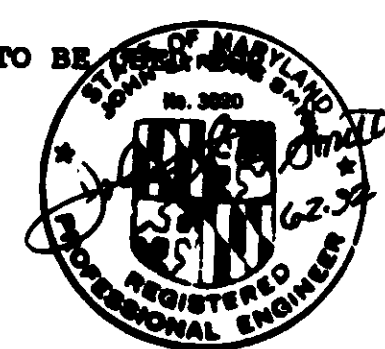
FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.
658 KENILWORTH DRIVE, SUITE 100, TOWSON, MARYLAND 21204
Description to Accompany
Special Hearing Request.
June 2, 1992

RE: Silvergate East

Beginning at a point located on the north right-of-way of Necker Avenue, said point being South 76° 50' East 149 feet± from the intersection of the center lines of Necker Avenue and Hanf Avenue, thence running in a clockwise direction and binding on said right-of-way line

- 1 - North 65° 20' 40" West 293.11 feet± thence leaving said right-of-way line
 - 2 - North 19° 42' 50" East 219.98 feet±
 - 3 - South 83° 53' 40" West 304.60 feet±
 - 4 - South 54° 00' 00" West 54.69 feet± to a point on the north right-of-way line of Necker Avenue, thence binding on said right-of-way
 - 5 - Along a curve to the right having a radius of 670.00 feet and a length of 83.23 feet±
 - 6 - North 45° 47' 50" West 57.91 feet± thence leaving said right-of-way line
 - 7 - North 32° 12' 10" East 213.03 feet±
 - 8 - North 45° 47' 50" West 75.00 feet±
 - 9 - North 32° 12' 10" East 237.88 feet± to a point in the right-of-way of Mispillion Road
 - 10 - South 51° 24' 10" East 98.36 feet± to a point in said right-of-way
 - 11 - South 78° 02' 04" East 610.67 feet±
 - 12 - South 19° 42' 50" West 642.93 feet± to the point of beginning.
- Containing 8.3001 acres of land more or less.

THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY AND NOT TO BE USED FOR CONVEYANCE OR AGREEMENTS.



CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 11th Date of Posting: 7/7/92
Posted for: Special Hearing
Petitioner: Charles W. Mauerhan, et ux & Ronald W. Chapman, et ux
Location of property: 4304 Necker Avenue, Baltimore, MD 21236
Location of Sign: 4304 Necker Avenue, Baltimore, MD 21236
Remarks:
Posted by: [Signature] Date of return: 7/14/92
Number of Signs: 1
Petitioner's name and address will appear on signs.

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CERTIFICATE OF PUBLICATION

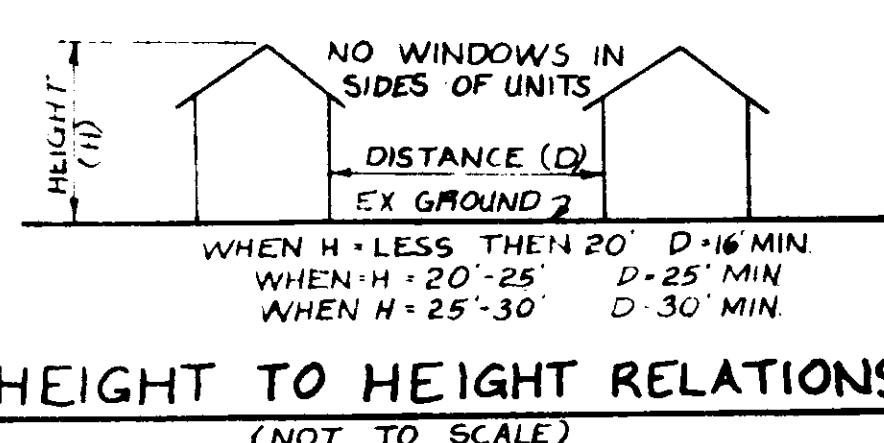
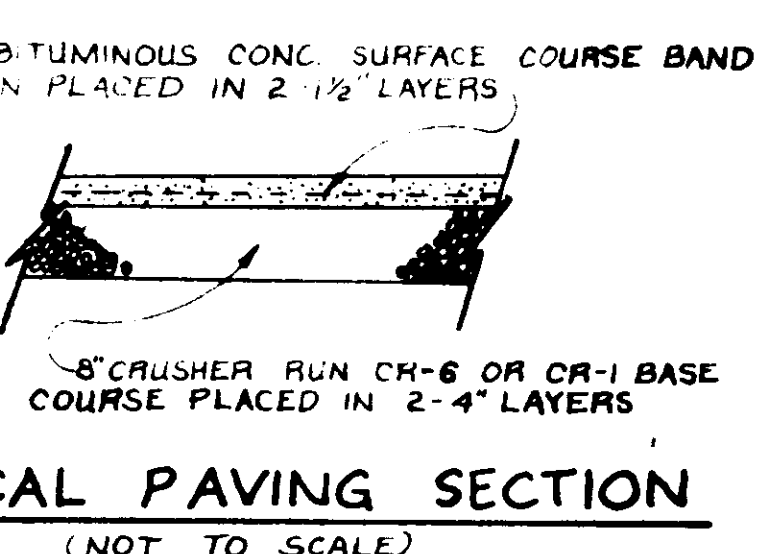
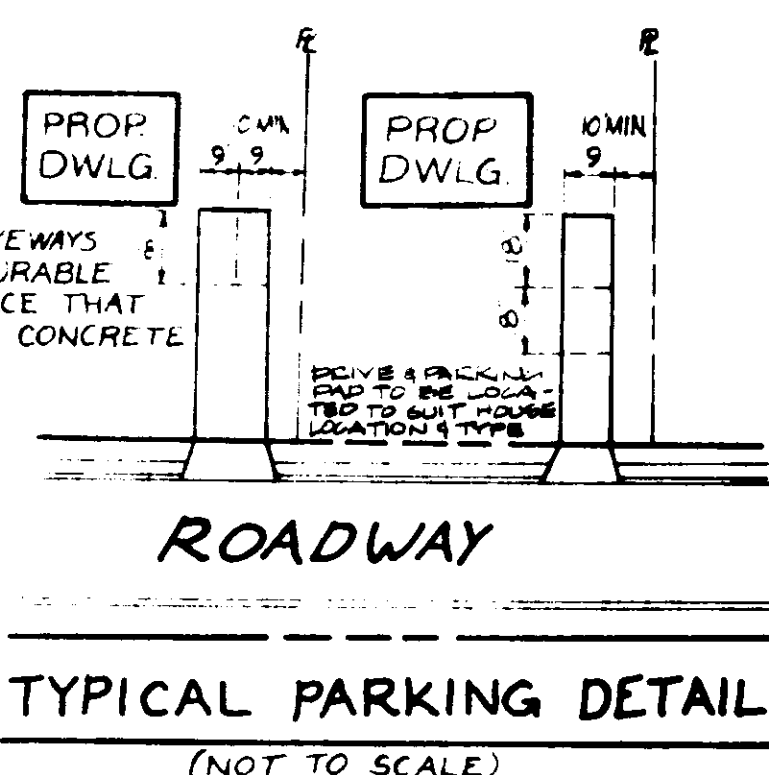
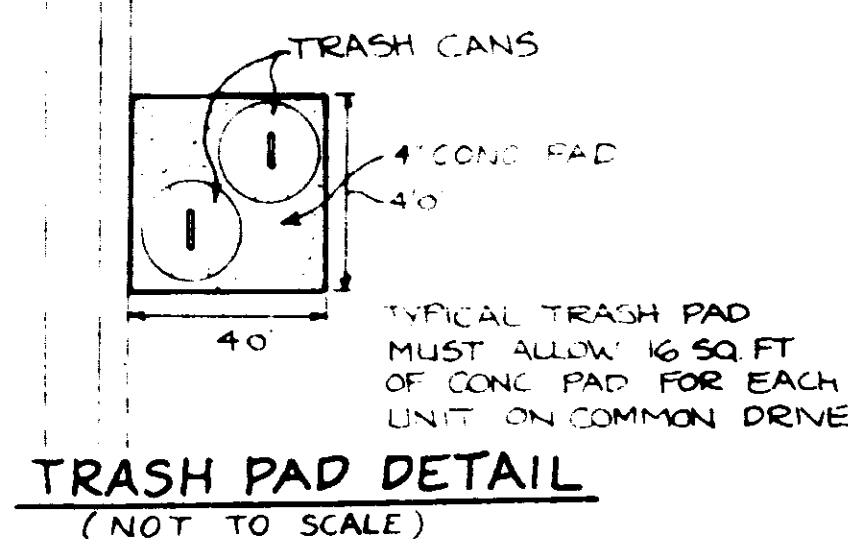
TOWSON, MD., 6/25, 1992

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/25, 1992.

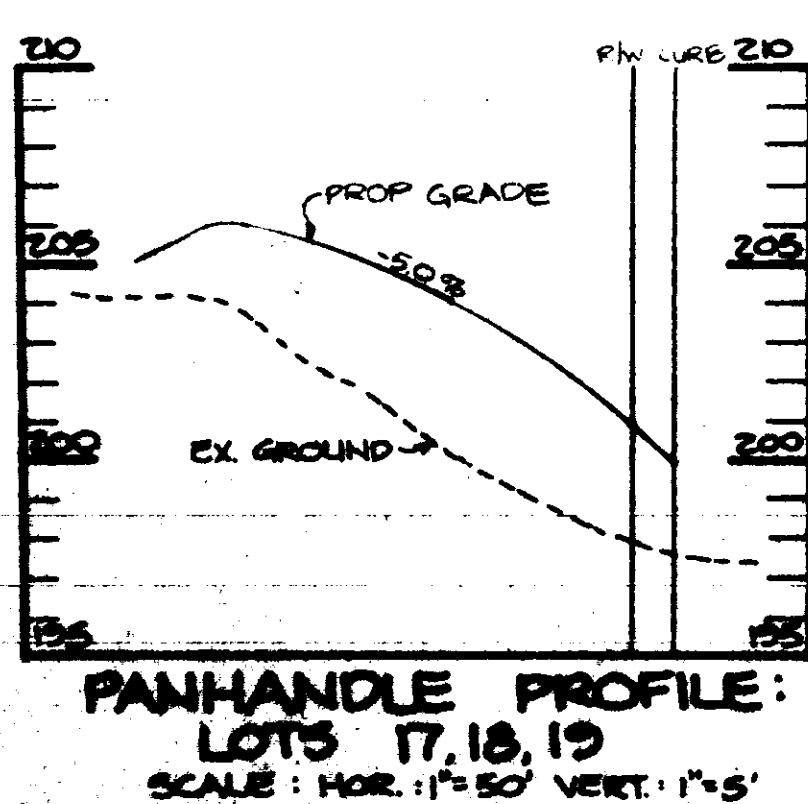
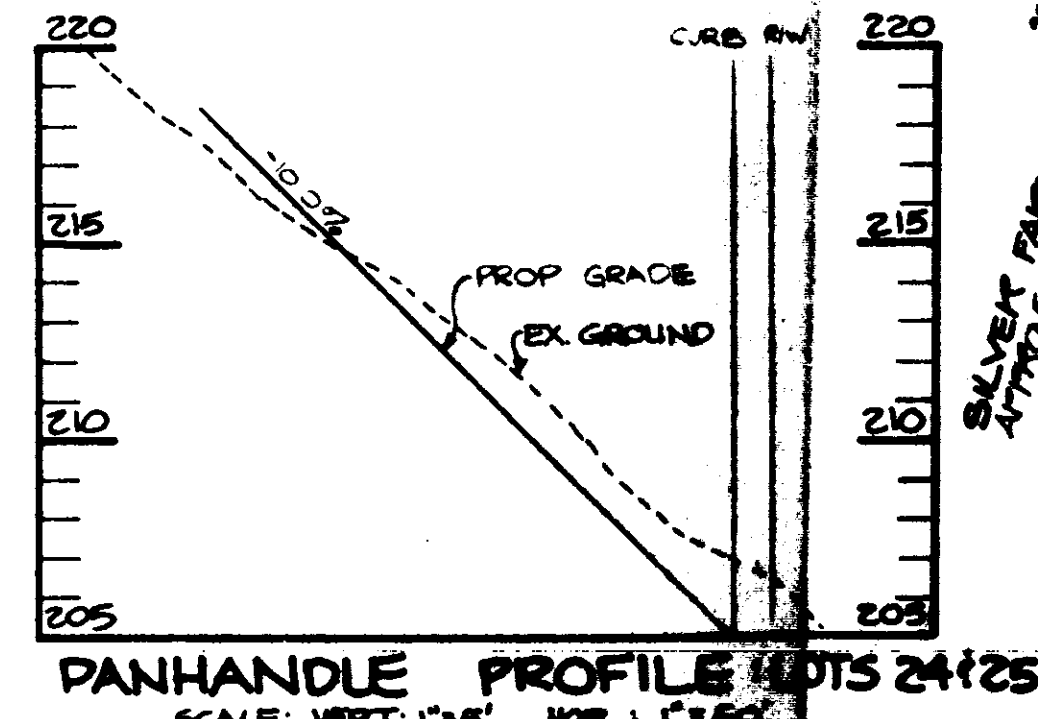
THE JEFFERSONIAN,

S. Zabe - Olson
Publisher

60.27 MICROFILMED

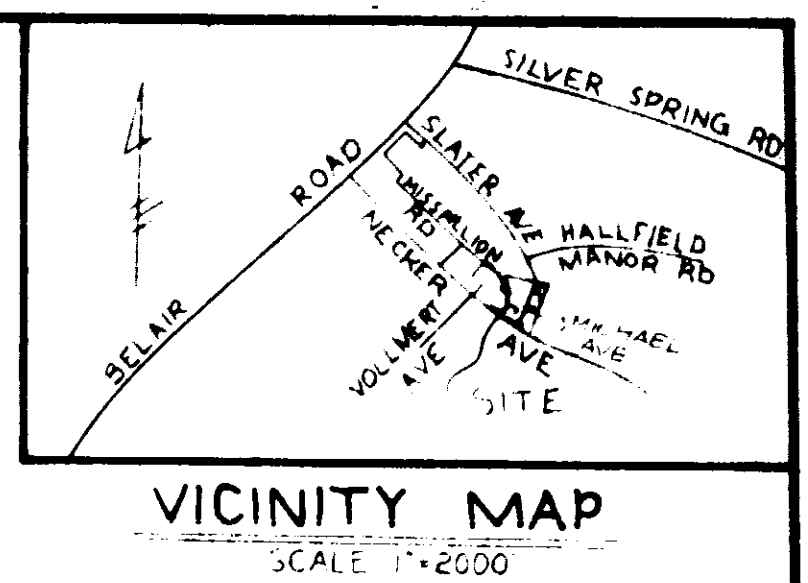


ZONING REGULATIONS
WINDOW TO WINDOW - 40'
WINDOW TO TRACT BOUNDARY - 35'
WINDOW TO STREET R/W - 25'
BUILDING TO LOT LINE - 15'
BUILDING TO TRACT BOUNDARY - 30'
BUILDING TO EXISTING R/W - 25'
BUILDING TO EXISTING R/W E - 50'
BUILDING TO PROPOSED R/W - 0'



SOIL TYPES & LIMITATIONS				
TYPES	LIMITATIONS TO STREET AND PARKING LOTS	HOMESITE (3 STORIES OR LESS)		SOIL CLASS
		WITH BASEMENT	WITHOUT BASEMENT	
JpB	MODERATE : SLOPE	SLIGHT	SLIGHT	A
JpD2	SEVERE : SLOPE	MODERATE : SLOPE	MODERATE : SLOPE	A
SdD3	SEVERE : SLOPE	SEVERE : SLOPE	SEVERE : SLOPE	B

DENSITY CALCULATIONS	
GROSS AREA	6.962 AC.
HIGHWAY DEDICATION	0.00 AC.
NET AREA	6.962 AC.
ZONING	DR 55
LOTS PERMITTED	6.962 AC x 55 = 383 LOTS
LOTS PROPOSED	20 LOTS
PARKING REQUIRED	2 SPACES PER UNIT
PARKING PROPOSED	A MIN. OF 2 OFF STREET SPACES PER UNIT
OPEN SPACE REQUIRED	26 x 650 = 0.339 AC.
OPEN SPACE PROPOSED	WAIVED
	12-10-86



1. TO BE REVIEWED BY THE ZONING COMMISSIONER.
2. TO BE REVIEWED BY THE ZONING COMMISSIONER.
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4. TO BE REVIEWED BY THE ZONING COMMISSIONER.
5. TO BE REVIEWED BY THE ZONING COMMISSIONER.
6. TO BE REVIEWED BY THE ZONING COMMISSIONER.

GENERAL NOTES:

1. DEED REFERENCE: 1987-1-157
2. UNITS TO BE SOLD: 20
3. LANDSCAPE REQUIREMENT: A MINIMUM OF ONE TREE PER LOT.
4. DRIVEWAYS ARE TO BE TAR & CHIP.
5. PANHANDLE DRIVES ARE TO BE TUMINOUS AND MAINTENANCE WILL BE EQUALLY SHARED BY ALL PARTIES HAVING RIGHTS TO THEIR USE.
6. REFUSE COLLECTION AND SNOW REMOVAL ARE TO BE PROVIDED BY BALTIMORE COUNTY.
7. STORMWATER WILL BE MANAGED IN A NET POND WHICH WILL BE OWNED AND MAINTAINED BY THE DEVELOPER.
8. THERE ARE NO PROPOSED WELL & SEPTIC AREAS ON THE SITE.
9. THERE ARE NO KNOWN CRITICAL AREAS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES HABITATS, OR HAZARDOUS MATERIALS ON THIS SITE.
10. MAJOR VEGETATION ON SITE IS MEADOW.
11. ENVELOPES SHOWN HEREON ARE FOR THE LOCATION OF ALL PRINCIPLE BUILDINGS ONLY. ACCESSORY STRUCTURES, FENCES, PROJECTIONS INTO YARDS, MAY BE CONSTRUCTED OUTSIDE THE ENVELOPE, BUT MUST COMPLY WITH SECTIONS 400 AND 301 OFF THE BALTIMORE COUNTY ZONING REGULATIONS (SUBJECT TO COVENANTS AND APPLICABLE BUILDING PERMITS).
12. ALL EXISTING VEGETATION WILL BE REMOVED UNLESS OTHERWISE INDICATED.
13. ACCESSORY STRUCTURES, FENCES, AND PROJECTIONS INTO YARDS CANNOT BE LOCATED IN FLOOD PLAIN AREAS OR HYDRIC SOILS.
14. IF DRAINAGE, UTILITY AND WALKWAY EASEMENTS ARE FENCED, AT LEAST 5 FEET MUST REMAIN OPEN FOR PEDESTRIAN ACCESS.
15. THE EXACT LOCATION OF CURB CUTS FOR DRIVEWAY OR PARKING PAD ENTRANCES IS TO BE DETERMINED BY OWNER WHEN EXACT BUILDING MODELS BECOME AVAILABLE, BUT PRIOR TO INSTALLATION OF STREET CURBS.
16. THIS DEVELOPMENT PLAN COMPLIES WITH THE C.R.G. PLAN AND ALL C.R.G. COMMENTS.
17. A LANDSCAPE PLAN MUST BE APPROVED BY THE OFFICE OF PLANNING PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.
18. LOTS 1, 3, 5 & 11 SHALL HAVE ACCESS TO MICHAEL AVE. ONLY.
19. SIDEWALKS WILL BE REQUIRED ADJACENT TO ALL PUBLIC ROADS.
20. THE SEWAGE DISPOSAL SYSTEM ON 4308 NECKER AVE. MUST BE PUMPED AND EITHER BACKFILLED OR REMOVED WHEN UTILITIES ARE AVAILABLE.

PETITIONER'S EXHIBIT

RESUBDIVISION OF LOT #2, ROSE C. HANF PROPERTY 49172
C.R.G. PLAN APPROVED ON AUGUST 13, 1987
SILVERGATE EAST
11TH ELECTION DISTRICT BALTIMORE COUNTY, MD.
SCALE: 1" = 50' OCTOBER 28, 1987

NO.	THIRD AMENDMENT REVISION	DATE
1	LOT # 27 OF SILVERGATE EAST DELETED	5-14-92
2	CHAPMAN LOT SUBDIVISION SHOWN	5-15-92
3	MAUERMAN PROPERTY SHOWN	5-15-92
4	DENSITY CALCULATIONS REVISED	6-2-92

OWNER / DEVELOPER
PRAIRIEVIEW SILVER HILL, INC.
1111 GUYMONS MILL CIRCLE
OWINGS MILLS, MD. 21117
363-5842

THIS DEVELOPMENT PLAN IS APPROVED BY THE ZONING COMMISSIONER BASED ON HIS INTERPRETATION OF THE ZONING REGULATIONS THAT IT COMPLIES WITH PRESENT POLICY, DENSITY AND BULK CONTROLS AS THEY ARE DELETED IN THE REGULATIONS ANY PART OR PARCEL OF THIS TRACT THAT HAS BEEN UTILIZED FOR DENSITY TO SUPPORT DWELLINGS SHOWN THEREON SHALL NOT BE FURTHER DIVIDED, SUBDIVIDED OR DEVELOPED FOR ADDITIONAL DWELLINGS OR ANY PURPOSE OTHER THAN THAT INDICATED PRESENTLY ON SAID PLAN. UTILIZATION WILL HAVE OCCURRED WHEN A DWELLING IS CONSTRUCTED AND TRANSFERRED FOR THE PURPOSE OF OCCUPANCY.

MICROFILMED

OFFICE OF PLANNING AND ZONING
APPROVED BY:

DIRECTOR OF PLANNING _____ DATE _____

ZONING COMMISSIONER _____ DATE _____

ENGINEERS • SURVEYORS • LAND PLANNERS
W. DUVALL & ASSOCIATES, INC.
530 EAST JOPPA ROAD
TOWSON, MARYLAND 21204
(301) 582-9571

2ND AMENDMENT AND
3RD AMENDMENT BY
GEORGE W. STEPHENS, JR.
AND ASSOCIATES, INC.
ONE WEST BALTIMORE STREET
BALTIMORE, MD. 21201
366-2141

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THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 30th day of July, 1992 that, pursuant to the Petition for Special Hearing, approval of the Third Amendment to the Silvergate East Final Development Plan, incorporating the deletion of Lot No. 27, in accordance with Section 1B01.3.A.7.b of the B.C.Z.R., so as to bring the Final Development Plan in conformance with the record plat, be and is hereby GRANTED, subject,

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MICROFILMED

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning
Suite 113 Courthouse
400 Washington Avenue
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(410) 887-4386

July 30, 1992

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4304 Necker Avenue
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Very truly yours,
Lawrence E. Schmidt
Zoning Commissioner
for Baltimore County

LES:mmm
encl.
cc: Mr. J. Strong Smith
George W. Stephens, Jr., and Assoc., Inc.
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Continued Petitioner/Owner:

(Type or Print Name)

Signature

Address

City State Zip

Attorney for Petitioner:

(Type or Print Name)

Signature

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With an authority to declare and affirm, under the penalties of perjury, that I am the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Charles W. Mauerhan (4304)

Ronald W. Chapman (4308)

Diane H. Chapman

4304 Necker Avenue

4308 Necker Avenue

Baltimore, Maryland 21236

Phone No. 256-0669

Attorney for Petitioner:

George W. Stephens, Jr. & Associates, Inc.

658 Kenilworth Drive, Suite 100 825-8120

Towson, Md. 21204

Phone No.

Estimated Number of Persons Available for Hearing

on the following date: 45 min

ALL OTHER DATE 6/6/92

RECEIVED BY: DATE: 6/6/92

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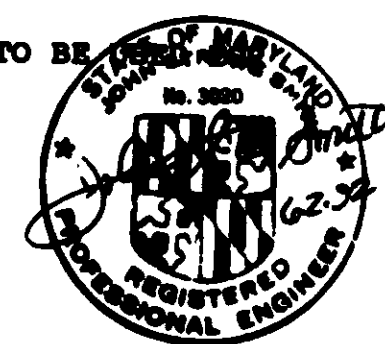
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CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 11th Date of Posting: 7/7/92
Posted for: Special Hearing
Petitioner: Charles W. Mauerhan, et ux & Ronald W. Chapman, et ux
Location of property: 4304 Necker Avenue, Baltimore, MD 21236
Location of Sign: Along 400 ft. of property for Special Hearing
Remarks: See map
Posted by: LES:mmm Date of return: 7/10/92
Number of Signs: 1
Petitioner's name and address: See map

MICROFILMED

CERTIFICATE OF PUBLICATION

TOWSON, MD., 6/25, 1992

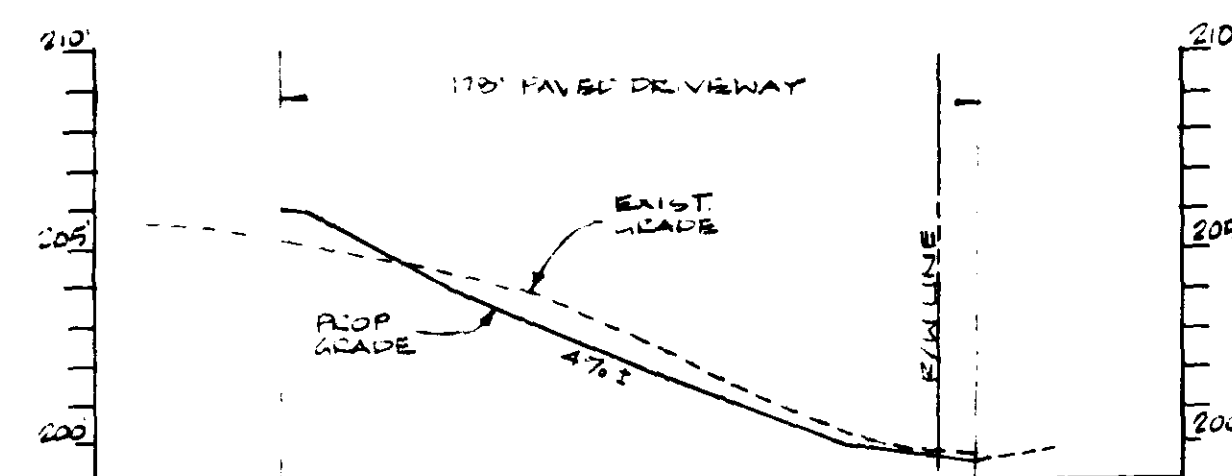
THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/25, 1992

THE JEFFERSONIAN,

S. Zabe - Olson
Publisher

60.27 MICROFILMED

SOIL TYPES & LIMITATIONS				C
SOIL TYPE	BLDG.-W/BSMT	BLDG.-WO BSMT	PARKING	
JpD2	MODERATE SLOPE	MODERATE SLOPE	SEVERE SLOPE	A
SpD3	MODERATE SLOPE	MODERATE SLOPE	SEVERE SLOPE	B



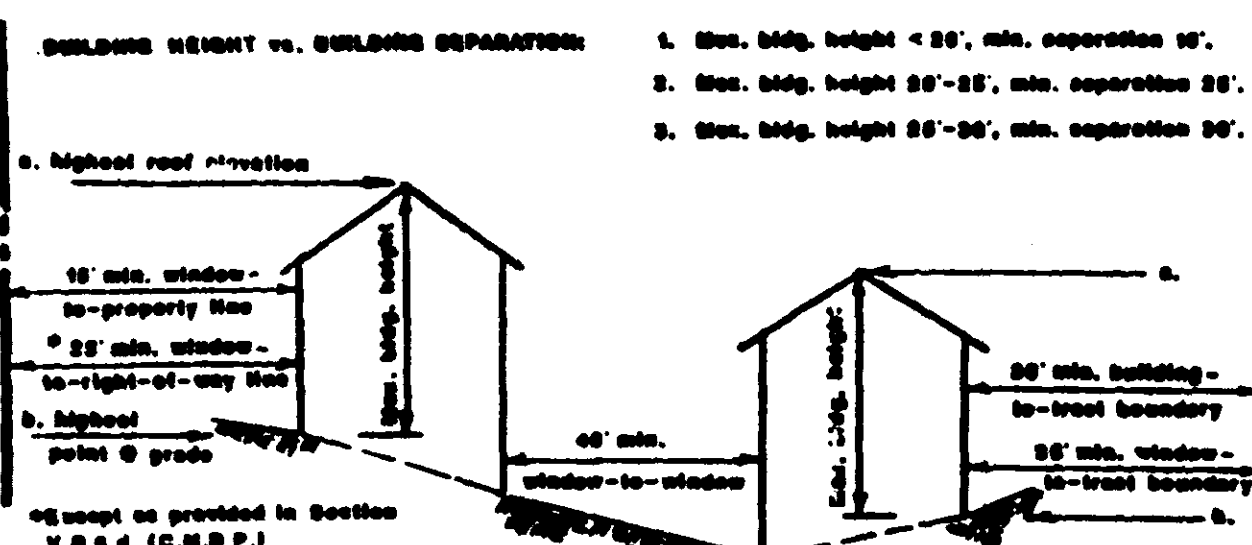
A PANHANDLE DRIVEWAY PROFILE
SCALE: 1"=50'
V. SCALE: 1"=5'

THE ZONING COMMISSIONERS RULING ON SPECIAL VARIANCE CASE NO. 72-43-SA

THEREFORE, IT IS ORDERED by the Zoning Commission for Baltimore County this 15th day of May, 1992 that a Petition for Special Variance from Section 4A02-1.F.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) relating to transportation standards of intersections for a non-industrial development, in accordance with Petitioners' Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

- The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

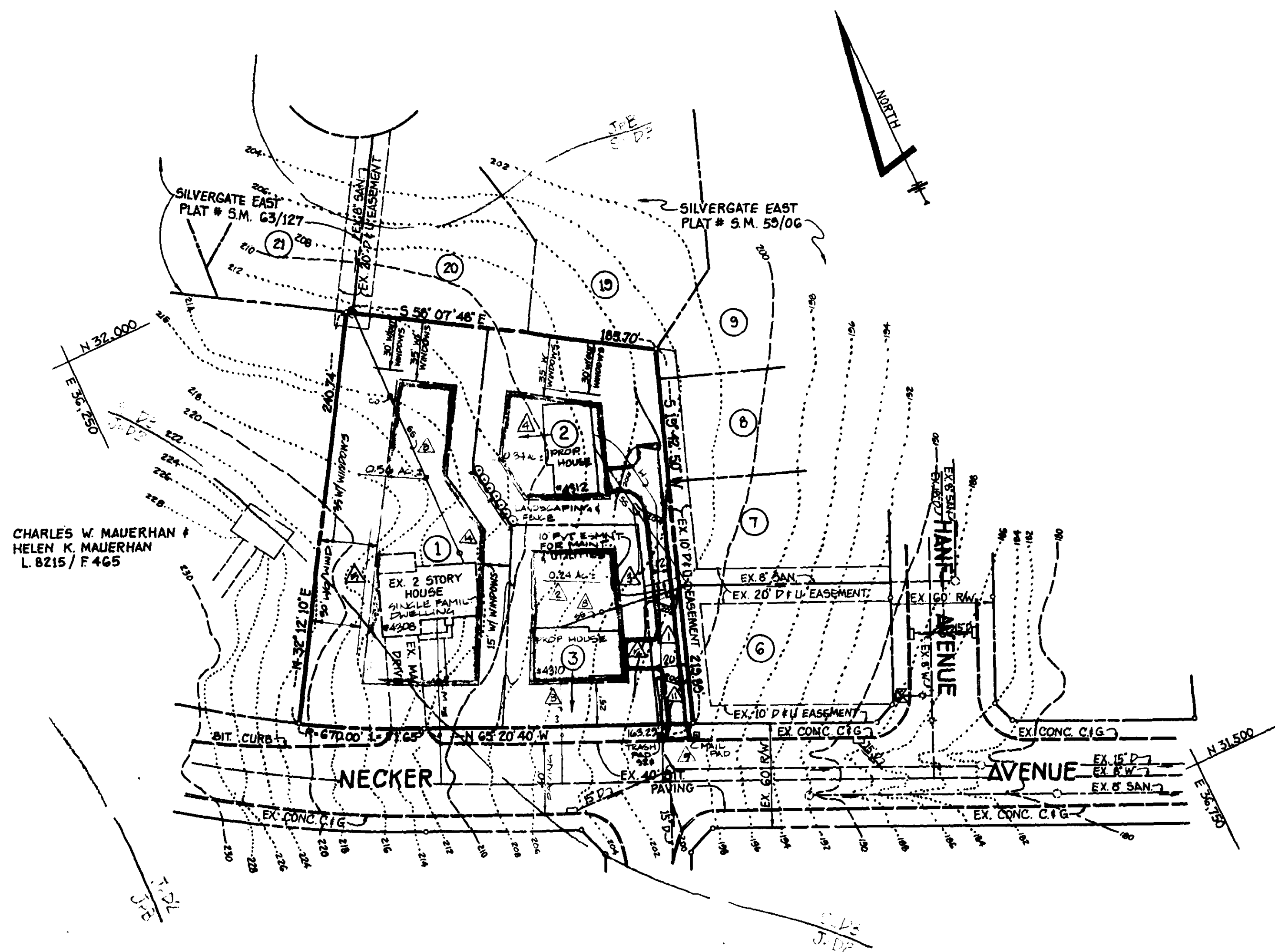


BUILDING HEIGHT & SETBACK RESTRICTIONS
N.T.S.



GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.

CIVIL ENGINEERS & LAND SURVEYORS
658 KENILWORTH DRIVE, SUITE 100
TOWSON, MARYLAND 21204
(301) 825-8120



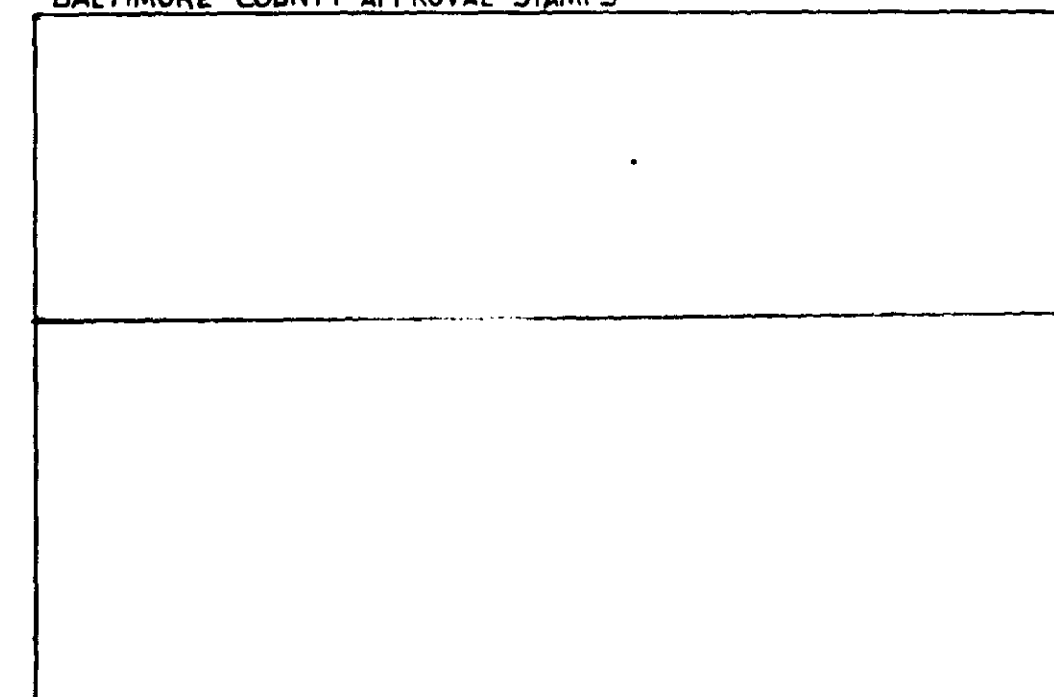
NO.	REVISION	DATE
1	LOT # 2 PANHANDLE DRIVE RELOCATED	2-10-92
2	LOT # 3 LOT LINES REVISED	2-10-92
3	PRIVATE UTILITY EASEMENT SHOWN	2-12-92
4	LOT # 2 HOUSE FRONT ORIENTATION REVISED	2-27-92
5	TRACT BOUNDARY SETBACK SHOWN	2-27-92
6	NOTE # 24-30 ADDED	2-27-92
7	PANHANDLE DRIVEWAY PROFILE ADDED	4-1-92
8	WATER AND SEWAGE HOUSE CONNECTIONS SHOWN	4-1-92
9	MAIL AND TRASH PILES SHOWN	4-1-92
10	NOTE # 10 REVISED	4-1-92
11	PANHANDLE DRIVEWAY GRADING SHOWN	5-19-92
12	DRIVEWAY TO LOT # 3 RELOCATED TO SIDE YARD	5-19-92
13	EXIST. ON SPECIAL VARIANCE CASE NO. 72-43-SA ADDED	5-19-92
14	PUBLIC SEWER UTILIZED, EXIST. SEPTIC REMOVED	6-28-92

SCALE: 1"=50'

PETITIONER'S
EXHIBIT No. 6

OWNER / DEVELOPER
RONALD W. CHAPMAN
4408 NECKER AVENUE
BALTIMORE, MD. 21236
PH. 410-256-0009

BALTIMORE COUNTY APPROVAL STAMPS



CHAPMAN PROPERTY
MINOR SUBDIVISION

BALTIMORE COUNTY, MARYLAND
PUBLIC SERVICES
DATE: 31 JANUARY, 1991
PLANNING NO.

GENERAL NOTES

- SITE DATA
 - EXISTING ZONING: OR-SS MAP NO. 50
 - NET AREA: 1.14 AC ±
 - GROSS AREA: 1.30 AC ± (1.14 AC ± 2 NECKER AVE. R/W)
 - UNITS PERMITTED: 1.33 ± (1.14 ± 2 NECKER AVE. R/W)
 - UNITS PROPOSED: 3 SINGLE FAMILY UNITS (2.5 ± ± 1.14 ± 2 NECKER AVE. R/W)
 - LOCAL OPEN SPACE REQUIRED: 0.047668 AC ±
 - 850 S.F. ± 3 ± 0.047668 AC ±
 - LOCAL OPEN SPACE PROVIDED: A WAIVER OF LOCAL OPEN SPACE WILL BE APPLIED FOR.
 - PARKING REQUIRED: 2 SP / UNIT X 3 = 6 SP
 - PARKING PROVIDED: 6 SP
 - ELECTION DISTRICT: # 11
 - COUNCILMANIC DISTRICT: # 5
 - CENSUS TRACT: # 411402
 - WATERSHED: # 6
 - SUBWATERSHED: # 17
 - DEED REFERENCE: 6443/772, 8215/465
 - TAX ACCOUNT NO.: 1800000810
 - LANDSCAPING: SEE ATTACHED PLAN FOR PROPOSED PLANTING
- THERE ARE NO STEEP SLOPES (GREATER THAN 25%) EXISTING ON THE SITE.
- THERE ARE NO WETLANDS, STREAMS, BODIES OF WATER, OR SPRINGS KNOWN TO EXIST ON THE SITE.
- THERE ARE NO 100 YEAR FLOODPLAINS EXISTING ON THE SITE.
- THERE ARE NO HISTORIC BUILDINGS EXISTING ON THE SITE.
- THERE ARE NO CRITICAL AREAS EXISTING ON THE SITE.
- THERE ARE NO ARCHEOLOGICAL SITES KNOWN TO EXIST ON THIS SITE AREA.
- THERE ARE NO ENDANGERED SPECIES HABITATS KNOWN TO EXIST ON THE SITE.
- THERE ARE NO HAZARDOUS MATERIALS KNOWN TO EXIST ON THE SITE.
- TAX MAP NO. 72 BLOCK NO. 19 PARCEL NO. 867
- THE EXISTING WELL SHALL BE FILLED BY A LICENSED WELL DRILLER
- THE EXISTING SEPTIC SYSTEM SHALL BE PUMPED AND REMOVED OR BACKFILLED
- AVERAGE DAILY TRIPS: 3 X 10.5 = 31.5 ADTS
- SCHOOL DISTRICT: JOPPA VIEW ELEMENTARY
- PROPOSED HOUSES SHOWN ARE FOR GRAPHIC REPRESENTATION ONLY, AND ARE NOT INTENDED TO SHOW THE EXACT SIZE AND LOCATION OF THE UNIT.
- THIS PROPERTY AS SHOWN ON THE PLAN HAS BEEN HELD INTACT BY THE BY THE OWNERSHIP SHOWN SINCE 1988. THE DEVELOPER'S ENGINEER HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THIS PROPERTY AS SHOWN ON THE PLAN HAS EVER BEEN UTILIZED AS DENSITY ON AREA TO SUPPORT ANY OFF SITE DWELLINGS.
- SEE ATTACHED PLAN FOR PROPOSED PLANTING
- ALL SITE RUNOFF WILL BE CONVEYED TO A SUITABLE OUTFALL WITHOUT IMPROVING AN ADVERSE IMPACT ON THE RECEIVING WATERBODY. WATER COURSE, WETLAND, STORMDRAIN, OR ADJACENT PROPERTY
- THERE ARE NO EXISTING WOODED AREAS ON THIS SITE
- ALL PROPOSED IMPERVIOUS AREAS WILL BE LIMITED TO 80% OF CLEARED AREA WITH RUNOFF CONVEYED AS SHEETFLOW THROUGH VEGETATED AREAS WHERE POSSIBLE AND FLOW THROUGH GRASS LINED SWALES
- HOUSE DOWNSPOUTS ARE TO BE DISCHARGED ONTO PERVIOUS AREAS ON INTO DRY WELLS WHERE FEASIBLE
- A SPECIAL VARIANCE WAS APPLIED FOR FROM B.C.Z.R. SECTION 4A.02 PURSUANT TO SECTION 4A.02-1.F.1 OF B.C.Z.R. RELATING TO TRANSPORTATION STANDARDS OF INTERSECTIONS FOR A NON-INDUSTRIAL DEVELOPMENT (CASE NO. 72-43-SA)
- DRIVEWAYS WILL BE CONSTRUCTED OF BITUMINOUS CONCRETE IN ACCORDANCE WITH STANDARD BALTIMORE COUNTY DETAILS

MICROFILMED

92-481-SPH

receipt

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R 001-6150
Number

Date

Please Make Check Payable To: Baltimore County 4250.00
BA 0210347M07-08-92

Cashier Validation

receipt

Baltimore Coun
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

Date

92-481

04A04-#01181CHRC
BA 0210347M07-24-92 \$60.27
Please Make Check Payable To: Baltimore County

Cashier Validation

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

DATE: 7/10/92

Mr. & Mrs. Charles Mauerhan
4304 Necker Avenue
Baltimore, Maryland 21236

Mr. & Mrs. Ronald W. Chapman
4308 Necker Avenue
Baltimore, Maryland 21236

RE:
CASE #92-481-SPH (Item 512)
N/S Necker Avenue, 149' E of c/l Hanf Avenue
Silvergate East
11th Election District - 5th Councilmanic
Petitioner(s): Charles W. Mauerhan, et ux and Ronald W. Chapman, et ux
HEARING: WEDNESDAY, JULY 29, 1992 at 10:30 a.m. in Rm. 118, Courthouse

Dear Petitioner(s):

Please be advised that \$ 60.27 is due for advertising and posting of the above captioned property and hearing date.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 109, Towson, Maryland 21204. Place the case number on the check and make same payable to Baltimore County, Maryland. In order to avoid delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.

ARNOLD JABLON
DIRECTOR

Printed on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

JUNE 18, 1992

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE #92-481-SPH (Item 512)
N/S Necker Avenue, 149' E of c/l Hanf Avenue
Silvergate East
11th Election District - 5th Councilmanic
Petitioner(s): Charles W. Mauerhan, et ux and Ronald W. Chapman, et ux
HEARING: WEDNESDAY, JULY 29, 1992 at 10:30 a.m. in Rm. 118, Courthouse

Special Hearing to approve a third amendment to the Silvergate East Final Development Plan incorporating the deletion of Lot-87 to comply with record plat.

Lawrence E. Schmidt
Zoning Commissioner of
Baltimore County

cc: Charles and Helen Mauerhan
Ronald and Diane Chapman
George W. Stephens, Jr. & Associates, Inc.

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

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Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

July 9, 1992

Mr. & Mrs. Charles W. Mauerhan
4304 Necker Avenue
Baltimore, MD 21236

RE: Item No. 512, Case No. 92-481-SPH
Petitioner: Charles W. Mauerhan, et ux
Petition for Special Hearing

Dear Mr. & Mrs. Mauerhan:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

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Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

Your petition has been received and accepted for filing this 8th day of June, 1992

ARNOLD JABLON
DIRECTOR

Received By:
W. Carl Richards Jr.
Chairman,
Zoning Plans Advisory Committee

Petitioner: Charles W. Mauerhan, et al
Petitioner's Attorney:

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BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: June 26, 1992
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for June 29, 1992
Item [redacted]

The Developers Engineering Division has reviewed the subject zoning item. The landscape plan approved July 23, 1991 must be modified to accommodate this amendment.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:DAK:s

RESERVED
JUN 30 1992
ZONING OFFICE

MICROFILMED

SHA Maryland Department of Transportation
State Highway Administration

June 24, 1992

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: Baltimore County
Item # 512
Silvergate East
Necker Avenue off of
US 1-Relay Road

Dear Ms. Winiarski:

After review of the above referenced plat, we offer the following:

Baltimore County Department of Public Works currently has an access permit from this office to connect Ridgely's Choice Drive to US 1, opposite Necker Avenue. We are currently awaiting design plans from your Developer's Engineering Division for the channelization of the Necker Avenue portion of the intersection to provide right turns in and right turns out at the US 1 intersection. A commitment has been made by the State Highway Administration (SHA) to install a traffic signal at the US 1 intersections with Necker Avenue and Slater Avenue when Ridgely's Choice Drive is connected.

Due to the limited sight distance at the existing intersection of US 1 and Necker Avenue, we do not recommend the approval of additional developments until the intersection modifications and traffic signal installations have been completed. The proposed schedule for Baltimore County to perform this work has not been determined at this time.

If you have any questions concerning these comments, please contact Peggy Blank of this office at 410-333-1350.

Very truly yours,
John Contestabile
John Contestabile, Chief
Engineering Access Permits
Division

RECEIVED
JUL 1 1992
ZONING OFFICE

My telephone number is 301-333-1350 (Fax# 333-1041)

Typewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 545-0451 D.C. Metro - 1-800-492-5063 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

Ms. Julie Winiarski
Page 2
June 24, 1992

cc: Mr. Robert Bowling
W. Duvall and Associates, Inc.
Mr. Robert Covahey

OFFICE OF PLANNING AND ZONING
New Courts Building
401 Bosley Avenue
Towson, MD 21204

MEMORANDUM

TO: Arnold Jablon, Director - Zoning Administration & Development Management

FROM: Ervin McDaniel, Chief
Development Review Section
Office of Planning and Zoning

DATE: June 24, 1992

SUBJECT: PETITIONS FROM ZONING ADVISORY COMMITTEE - June 22, 1992

The Office of Planning and Zoning has no comments on the following petitions:

Leroy Merritt - Item 511
Silvergate East - Item 512
Frederick & Michelle Burgesen - Item 517
David & Paula Rosen - Item 518
David & Debra Gordon - Item 519
Michael & Virginia Myers - Item 522

If there should be any further questions or if this office can provide additional information, please contact Francis Morsey in the Office of Planning and Zoning at 887-3211.

6-22-92.txt
Petitns.txt

MICROFILMED

DPMA Traffic Engineering

Development Review Committee Response Form
Authorized signature _____ Date 6/29/92

Project Name Waiver Number Zoning Issue Meeting Date

90478 Stonegate at Patapsco (Azeal Property) 6-1-92

CON DED TE (Waiting for developer to submit plans first)

COUNT 1

Joan R. McMahon FRS-1 W/C 6-22-92

DED DEPRM RP STP TE

✓ BBC Associates 511 N/C

DED DEPRM RP STP TE

✓ Charles W. And Helen K. Mauerhan/Ronald W. And Diane H. Chapman 512 N/C

DED DEPRM RP STP TE

✓ Fox Chevrolet, Inc. 513 N/C

DED DEPRM RP STP TE

✓ Covenant of Grace Presbyterian Church 515 N/C

DED DEPRM RP STP TE

✓ Frederick J. And Michelle Y. Burgesen 517 N/C

DED DEPRM RP STP TE

✓ David Marc And Paul C.S. Rosen 518 N/C

DED DEPRM RP STP TE

✓ David W. And Debra L. Gordon 519 N/C

DED DEPRM RP STP TE

Raymond F. And Nancy A. Plum 520 W/C

DED DEPRM RP STP TE

✓ Sebastian T. Rosselli 521 N/C

DED DEPRM RP STP TE

✓ Michael And Virginia Myers 522 N/C

DED DEPRM RP STP TE

MICROFILMED

Department of Environmental Protection & Resource Management
Development Review Committee Response Form
Authorized signature _____ Date 6-29-92

Project Name Waiver Number Zoning Issue Meeting Date

Joan R. McMahon FRS-1 6-22-92

DED DEPRM RP STP TE

✓ BBC Associates 511 In process

DED DEPRM RP STP TE

✓ Charles W. And Helen K. Mauerhan/Ronald W. And Diane H. Chapman 512 NO COMMENTS

DED DEPRM RP STP TE

✓ Fox Chevrolet, Inc. 513 In process

DED DEPRM RP STP TE

✓ Covenant of Grace Presbyterian Church 515 NO COMMENTS

DED DEPRM RP STP TE

✓ Frederick J. And Michelle Y. Burgesen 517 In process

DED DEPRM RP STP TE

✓ David Marc And Paul C.S. Rosen 518 NO COMMENTS

DED DEPRM RP STP TE

✓ David W. And Debra L. Gordon 519 NO COMMENTS

DED DEPRM RP STP TE

Raymond F. And Nancy A. Plum 520 In process

DED DEPRM RP STP TE

✓ Sebastian T. Rosselli 521 NO COMMENTS

DED DEPRM RP STP TE

Count 10

Douglas R. Small 499 6-8-92 In process

DEPRM

DED DEPRM RP STP TE

DED DEPRM RP STP TE

DED DEPRM RP STP TE

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700 East Joppa Road Suite 901
Towson, MD 21204-5500

JUNE 19, 1992

(410) 887-4500

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: CHARLES W. MAUERHAN AND HELEN K. MAUERHAN AND
RONALD W. CHAPMAN AND DIANE H. CHAPMAN

Location: SILVERGATE EAST

Item No.: +512 (MJK) Zoning Agenda: JUNE 22, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *[Signature]*
Planning Group
Special Inspection Division

JP/KEK

ZONING OFFICE

MICROFILMED

Department of Recreation and Parks
Development Review Committee Response Form
Authorized signature _____ Date 7/1/92

Project Name Waiver Number Zoning Issue Meeting Date

Joan R. McMahon FRS-1 6-22-92

DED DEPRM RP STP TE

✓ BBC Associates 511 No Comment

DED DEPRM RP STP TE

✓ Charles W. And Helen K. Mauerhan/Ronald W. And Diane H. Chapman 512 No Comment

DED DEPRM RP STP TE

✓ Fox Chevrolet, Inc. 513 No Comment

DED DEPRM RP STP TE

✓ Covenant of Grace Presbyterian Church 515 No Comment

DED DEPRM RP STP TE

✓ Frederick J. And Michelle Y. Burgesen 517 No Comment

DED DEPRM RP STP TE

✓ David Marc And Paul C.S. Rosen 518 No Comment

DED DEPRM RP STP TE

✓ David W. And Debra L. Gordon 519 No Comment

DED DEPRM RP STP TE

✓ Raymond F. And Nancy A. Plum 520 No Comment

DED DEPRM RP STP TE

✓ Sebastian T. Rosselli 521 No Comment

DED DEPRM RP STP TE

✓ Michael And Virginia Myers 522 No Comment

DED DEPRM RP STP TE

Count 11

MICROFILMED

OAK INVESTMENT COMPANY, INC.

22 W. Padonia Road • Suite B320 • Timonium, Maryland 21093
(301) 561-4995

COMMENTS FOR NECKER HEARING: JULY 29, 1992 (10:30)

My name is James E. Matthews, President of Oak Investment Company, 22 W. Padonia Road, Timonium, MD 21093. I am here today as a consultant to the Owners of 4308 Necker Avenue, Mr. and Mrs. Ronald Chapman, and specifically to help them obtain approval of a three (3) lot subdivision. We began the development process on January 29, 1992 with a pre-development conference.

In March of 1992 we were advised that we would need a Public Hearing in order to obtain approval for a special variance to the traffic moratorium. The Hearing was held, no one protested, and the variance approved. At that time we thought we were ready for the County's final approval of our "Healthmaster" three lot subdivision plat.

After obtaining the traffic variance, we were notified by Zoning that the subdivision known as "Silvergate East" which the Chapman and Mauerhan Property were once a part of, had not properly amended the Final Development Plan. As a result Mr. and Mrs. Chapman were advised that we would have to amend the "Silvergate East" Final Development Plan. The proper plats were prepared, submitted to the Zoning Department for approval and subsequently approved, then submitted to the Baltimore County Planning Board for approval and also subsequently approved by the Planning Board on June 18, 1992. Mr. David Fields, Planning Director, has also so notified the Chapmans in writing of that approval.

We are now seeking Zoning Commissioner approval of the Amended FDP at this hearing. We hope that the Zoning Commissioner will concur with the Zoning Department, the Planning Board, and the Planning Director and grant approval today.

Thank you for the opportunity to present this case to you today.
Sincerely yours,

cc: John Smith
Ron & Diane Chapman

James E. Matthews

MICROFILMED

OAK INVESTMENT COMPANY, INC.

22 W. Padonia Road • Suite B320 • Timonium, Maryland 21093
(301) 561-4995

NECKER AVENUE
BACK UP POINTS
JULY 29, 1992 / ARGUMENT IF THE PUBLIC PROTESTS THE APPROVAL

(1) The FDP (Final Development Plan) should have been amended by the prior developer, Mr. Carter, and his Engineer. They had informed Mr. Chapman that they would amend the FDP. This was done in writing by Mr. Carter's attorney. Mr. Chapman, like many property owners, is not fully aware of many of the development procedure requirements, and he was not aware that the FDP was not correctly prepared and amended as promised.

(2) The Chapman Property Lots are .56 acres including an existing house, .34 acres and .24 acres. All of the lots in "Silvergate East" are smaller, ranging in size from .149 to .231. Therefore, the lots being created and affecting those lots within 300 feet of the proposed amended FDP of "Silvergate East" are all larger lots than "Silvergate East" lots.

(3) The subject property has been in one family's ownership since 1875. Mrs. Chapman's parents, Mr. Charles W. Mauerhan and Mrs. Helen K. Mauerhan still reside at 4304 Necker Avenue, next door to the Chapmans. Had the "Silvergate East" FDP been properly processed by the former developer of the property and his engineer, the Chapman's would not need to amend the FDP for "Silvergate East", pay the expenses for same, and we would not have needed this Hearing. It does not seem fair or just that the Chapmans have to go through this procedure because of another person's failure to process the FDP properly.

NECKER AVENUE

- 2 -

JULY 29, 1992

Further, it would seem very unfair if after owning this property in one family since 1875, that they would be denied the right to develop the lot because of errors by other people.

(4) Since the Chapmans were unaware of the problems with the FDP, they offered their house and two lots for sale subject to final approval of the three lot subdivision plat. All three properties were sold subject to final approval. The Buyers are:

- [1] Lot 1 and the House: Michael & Jeanne Biemer.
Date of Contract February 2, 1992.
Their financing has had to be extended, appraisals updated, points paid to hold financing, credit check redone, etc. All of this costs money and is proving to be a hardship.
- [2] Lot 2: Brian Duffy and Mary Duffy.
Date of Contract January 29, 1992.
- [3] Lot 3: Victor Moxey and Rosemarie Moxey.
Date of Contract January 6, 1992.

The Buyers of Lot # 2 and #3 have also incurred additional costs due to the unexpected need for two Hearings late in the development process.

The Duffys and the Moxeys have incurred additional costs because appraisals had to be updated, points paid to hold financing, and credit checks updated. The Duffeys and the Moxeys have also seen permit costs for water and sewer increase by \$2,000.

MICROFILMED

JULY 29, 1992

The requirement to Amend the FDP of "Silvergate East" was not foreseen by me, by G. W. Stephens and Associates, nor by Baltimore County officials at the Pre-development Conference or until after the Traffic Moratorium Variance Hearing. The cost of not filing a correct FDP is being paid by the Chapmans, Blemers, Duffys, and Moxeys.

Again, it would not seem fair to add the Owners and Contract Purchasers hardship by denying this variance.

MICROFILMED

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
James C. Smith	22 W. Padova Rd Suite 8320 21093
J. Strong Smith	658 KENILWORTH DR TOWSON 21204
Robert C. Petersen	658 KENILWORTH DR TOWSON 21204
Ronald W. Chapman	4304 Necker Ave, 21236
Helen K. Mauerhan	4304 Necker Ave, 21236
James Pinner	4308 Necker Ave, 21236
Charles W. Mauerhan	7421 Bay Forest Rd 21217
Victor J. Moxey	7421 Bay Forest Rd 21217

MICROFILMED

IN RE: PETITION FOR SPECIAL VARIANCE * BEFORE THE
N/S Necker Avenue, 260 ft. * ZONING COMMISSIONER
SE of Vollmert Avenue * OF BALTIMORE COUNTY
4308 Necker Avenue * Case No. 92-374-SA
11th Election District
6th Councilmanic District
Ronald W. Chapman, et ux
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Variance for that property known as 4308 Necker Avenue in the White Marsh area of Baltimore County. Specifically, the Petitioners seek a special variance, pursuant to Section 4A02.4.F.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), relating to transportation standards of intersections for a non-industrial development. The special variance, if granted, would be from the strict application of the standards enunciated within Section 4A02.4.D of the B.C.Z.R. That section restricts development within the shed of a falling intersection. The subject property is located within close proximity of the falling intersection at Belair Road and Putty Hill Avenue-Ridge Road.

The Petitioners, property owners, Ronald W. Chapman and Diane H. Chapman, appeared at the public hearing in support of their Petition. Also appearing were J. Strong Smith, the engineer who prepared the plat to accompany the Petition marked as Petitioners' Exhibit No. 1 and James E. Matthews, a development consultant. Other potential buyers of lots created by the proposed subdivision appeared in support of the Petition. There were no Protestants present.

7953 PAGE 338

DEED OF EXCHANGE

THIS DEED OF EXCHANGE, made this 29th day of August 1988, by and between CHARLES W. MAUERHAN and HELEN K. MAUERHAN, his wife (hereinafter referred to as "Mauerhan"), and RONALD W. CHAPMAN and DIANE H. CHAPMAN, his wife (hereinafter referred to as "Chapman").

WHEREAS, Mauerhan and Chapman are adjoining property owners of parcels of property in Baltimore County, Maryland; and

WHEREAS, each of the parties hereto, in order to revise their common property line, desires to convey parcels herein described to the other.

NOW, THEREFORE, THIS DEED WITNESSETH: That in consideration of these premises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Mauerhan does hereby grant and convey unto Chapman, the survivor of them and the survivor's heirs, personal representatives, successors and assigns, all of their right, title, interest and estate in that parcel of land situate and lying in Baltimore County, in the State of Maryland, designated as Parcel "A" on Exhibit 1 attached hereto and made a part hereof and described in Exhibit "2" attached hereto and made a part hereof.

TOGETHER with the buildings and improvements thereon and the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

TO HAVE AND TO HOLD said parcel of ground hereby conveyed, together with the rights and appurtenances aforesaid, unto Chapman, the survivor of them and the survivor's personal representatives, successors and assigns, in fee simple.

WITNESS FURTHER, that in consideration of these premises and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Chapman hereby grants and

RECEIVED FOR TRANSFER
State Department of Assessments & Taxation
for Baltimore County
J.R. 8-23-88
Date

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE
SIGNATURE: [Signature]
Date: 8-23-88

TRANSFER TAX NOT REQUIRED
Director of Finance
BALTIMORE COUNTY MARYLAND
Per: [Signature]
Authorized Signature
Date: 8-23-88 Sec. 11-85 C

W. DUVAL & ASSOCIATES, INC.

Engineers • Surveyors • Land Planners

July 6, 1988

DESCRIPTION OF PART OF THE LANDS OF CHARLES W. MAUERHAN, ET UX
Part of E.H.K. Jr. 6896 Folio 07

PARCEL A

BEGINNING for the same at the northeastern most corner of Lot No. 1 as shown on a plat entitled "Subdivision of Property of Rose C. Hanf" dated September 29, 1982 as recorded among the Land Records of Baltimore County in Plat Book E.H.K. Jr. 49 folio 72, said point also being at the end of the North 83 degrees 53 minutes 40 seconds East 304.80 foot line of a parcel of land which by deed dated October 6, 1982 was conveyed by Rose C. Hanf to Ronald W. Chapman and Diane H. Chapman, his wife, as recorded among the aforementioned Land Records in Liber E.H.K. Jr. 6443 folio 722; thence binding reversely of part of said line South 83 degrees 53 minutes 40 seconds West 236.65 feet; thence running for a new line of division as now established North 32 degrees 12 minutes 10 seconds East 145.62 feet to intersect the second or South 58 degrees 07 minutes 48 seconds East 396.25 foot line of the secondly described parcel of land saved and excepted in a deed dated December 29, 1986 was conveyed by Charles W. Mauerhan and Helen K. Mauerhan to Jon-Ric Corporation as recorded among the aforementioned Land Records in Liber S.M. 7454 folio 331; thence binding partly thereon South 58 degrees 07 minutes 48 seconds East 185.70 feet to the point of beginning.

Containing 0.3104 acres of land more or less.



530 East Joppa Road / Towson, Maryland 21204 / (301) 583-9571

EXHIBIT 2

MICROFILMED

W. DUVAL & ASSOCIATES, INC.

Engineers • Surveyors • Land Planners

July 6, 1988

DESCRIPTION OF PART OF THE LANDS OF RONALD W. CHAPMAN ET UX
Part of E.H.K. Jr. 6443 Folio 722

PARCEL B

BEGINNING for the same at a point on the northeasterly right of way line of Necker Avenue 40 feet wide, at the point of intersection with the beginning of the third or North 54 degrees 00 minutes 00 seconds East 54.69 foot line of a parcel of land which by deed dated October 6, 1982 was conveyed by Rose C. Hanf to Ronald W. Chapman and Diane H. Chapman, his wife, as recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. 6443 folio 722; thence binding on said third line and part of the fourth line of said conveyance North 54 degrees 00 minutes 00 seconds East 54.69 feet and North 83 degrees 53 minutes 40 seconds East 87.95 feet; thence running for a new line of division as now established South 32 degrees 12 minutes 10 seconds West 95.12 feet to intersect the aforementioned right of way line of Necker Avenue; thence binding thereon by a curve to the right having a radius of 670.00 feet and an arc length of 73.70 feet being subtended by a chord bearing North 58 degrees 04 minutes 10 seconds West 73.66 feet to the point of beginning.

Containing 0.1028 acres of land more or less.



530 East Joppa Road / Towson, Maryland 21204 / (301) 583-9571

EXHIBIT 3

MICROFILMED

Baltimore County Government
Zoning Commission
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

May 12, 1992

RECEIVED

MAY 18 1992

GEORGE WILLIAM STEPHENS JR. & ASSOC., INC.

Mr. and Mrs. Ronald A. Chapman
4308 Necker Avenue
Baltimore, Maryland 21236

RE: Petition for Special Variance
Case No. 92-374-SA

Dear Mr. and Mrs. Chapman:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm
att.
cc: Mr. J. Strong Smith

PETITIONER'S
EXHIBIT No. 7

MICROFILMED

Baltimore County Government
Planning Board

CHAPMAN
PROPERTY

401 Bosley Avenue
Towson, MD 21204

887-3211

June 23, 1992

TO: Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: P. David Fields, Secretary
County Planning Board

SUBJECT: Amended Final Development Plan
"Silvergate East"

RECEIVED

JUN 28 1992

GEORGE WILLIAM STEPHENS JR.
& ASSOC., INC.

Pursuant to Section 1801.3A.7.b.i of the Baltimore County Zoning Regulations, the proposed Third Amended Final Development Plan of "Silvergate East" was reviewed and approved by the County Planning Board at its meeting on June 18, 1992. The Zoning Commissioner's proceedings on this plan may now be concluded.

P. David Fields
P. David Fields

PDF:TD:cam
SILVER FDP/EXHIBIT
cc: Lawrence Schmidt, Esq.
J. Strong Smith, P.E.

PETITIONER'S
EXHIBIT No. 8

COORDINATE TABLE

N	NORTH	EAST
4	51884.66	36115.34
5	36204.72	36228.87
6	36117.21	36175.10
7	36318.30	36501.87
8	36257.14	36378.75
9	36130.25	36174.15
10	36155.25	36181.27
11	36147.56	36442.88
12	36254.68	36547.09
13	36222.25	36264.22
14	36170.11	36219.77
15	36252.48	36400.71
16	36213.41	36361.52
17	36224.41	36280.46
18	36198.22	36481.56
19	36188.50	36473.26
20	36135.34	36498.10
21	36102.72	36481.54
22	36106.07	36714.08
23	36171.95	36714.72
24	36156.12	36722.84
25	36275.41	36807.10
26	36291.64	36741.23
27	36131.30	36704.76
28	36172.64	36688.74
29	36181.21	36751.35
30	36181.48	36700.87
31	36190.11	36814.04
32	36191.68	36822.10
33	36168.87	36777.73
34	36184.18	36780.34
35	36134.91	36722.88
36	36155.15	36666.36
37	36168.73	36681.09
38	36188.70	36688.62
39	36182.79	36681.95
40	36181.55	36682.87
41	36182.91	36570.16
42	36187.82	36603.42
43	36144.27	36156.86

CURVE DATA

STATION	PC	PT	PI	ARC	CHORD
18	24	280.00'	27°28'21"	61.11'	357°40'00"E 118.73'
19	28	200.00'	27°28'21"	48.84'	357°40'00"E 94.78'
20	31	90.00'	47°24'55"	18.00'	307°09'17"E 35.35'
21	30	90.00'	47°24'55"	18.00'	344°57'04"E 38.35'
22	31	90.00'	35°48'35"	N/A	N/A
23	31	90.00'	37°57'40"	91.94'	334°06'51"E 174.15'
24	36	280.00'	14°12'40"	41.14'	322°24'07"E 81.64'
25	44	350.00'	12°40'15"	36.64'	347°47'05"E 72.88'
26	50	237.65'	28°38'10"	54.07'	332°31'55"W 105.48'
27	51	277.65'	27°14'41"	72.14'	333°20'18"W 140.22'
28	65	1805.00'	4°56'30"	52.00'	322°11'08"W 48.72'
29	64	1445.00'	4°56'30"	49.41'	347°21'22"E 85.18'
30	17	670.00'	7°07'05"	41.67'	316°18'48"E 51.21'
31	56	880.00'	2°01'55"	13.61'	316°18'48"E 51.21'

THE APPROVAL OF THIS PLAN IS BASED UPON A REASONABLE EXPECTATION THAT THE WATER AND SEWER SERVICE WHICH IS PLANNED FOR THE DEVELOPMENT WILL BE AVAILABLE WHEN NEEDED. HOWEVER, BUILDING PERMITS MAY NOT BE ISSUED UNTIL THE PLANNED WATER AND SEWER FACILITIES ARE COMPLETED AND DETERMINED TO BE ADEQUATE TO SERVE THE PROPOSED DEVELOPMENT.

THE LOCATION OF ALL PIPES DRAINAGE AND UTILITY CATCH BASINS HAVE BEEN DETERMINED BY A REGISTERED PROFESSIONAL ENGINEER.

OWNER/DEVELOPER

JON-ERIC CORP.
118 OLD PADONIA RD. SUITE 200
TIMONUM, MD 21078
301-581-7700
TAX ACCOUNT NO. 27-00-018000
DEED REF: 7454/551

MARIE E. CIEKOT
7106/115
DR. 55
RESIDENTIAL

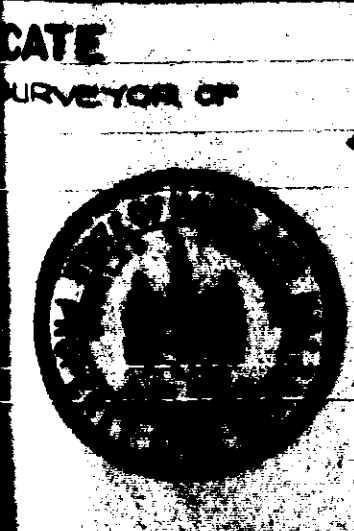
APPROVED: *[Signature]*
DIRECTOR OF PUBLIC WORKS

APPROVED: *[Signature]*
DIRECTOR OF PLANNING AND ZONING

APPROVED: *[Signature]*
COMMISSIONER OF ENVIRONMENTAL PROTECTION AND FORESTRY MANAGEMENT

SURVEYOR'S CERTIFICATE
THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF MARYLAND, DOES HEREBY CERTIFY THAT HE IS THE SURVEYOR WHO PREPARED THIS PLAN AND THAT THE LAND SHOWN ON THIS PLAN WAS MEASURED BY HIM OR UNDER HIS CLOSE PERSONAL SUPERVISION AND THAT THE PLAN TRULY REPRESENTS THE COMPLETION OF THE SURVEY AND THAT THE PROPERTY LINES OF ADJACENT LANDS ARE SHOWN TO THE BEST OF HIS KNOWLEDGE AND BELIEF.

[Signature]
DATE: 8/1/88



OWNER'S CERTIFICATE
THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAN, HEREBY CERTIFIES THAT, TO THE BEST OF HIS KNOWLEDGE, THE REQUIREMENTS OF SECTION 1-105 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, HAVE BEEN COMPLIED WITH, INsofar AS SAME CONCERN THE MAKING OF THE PLAN AND THE SETTING OF THE MARKERS.

[Signature]
DATE: 8/1/88

NOTE:
THE STREETS AND/OR ROADS SHOWN HEREON AND THE MENTIONS THEREOF IN DEEDS ARE FOR THE PURPOSE OF DESCRIPTION ONLY AND THE SAME ARE NOT INTENDED TO BE DEPOSITED TO PUBLIC USE. THE PLOT NUMBER TITLE TO THE DEED THEREON IS EXPRESSLY RESERVED IN THE GRANTORS OF THE DEED TO WHICH THIS PLAN IS ATTACHED, THEIR HEIRS AND ASSIGNS.

NOTE:
HEREON AND HEREIN, SLOPE, DRAINAGE, AND UTILITY INFORMATION SHOWN HEREON ARE RELIED UPON THE SETTING OF THE MARKERS AND THE FOLLOWING INFORMATION IS FOR THE INFORMATION OF THE OWNER AND ADJACENT OWNERS ONLY AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION SHOWN HEREON.

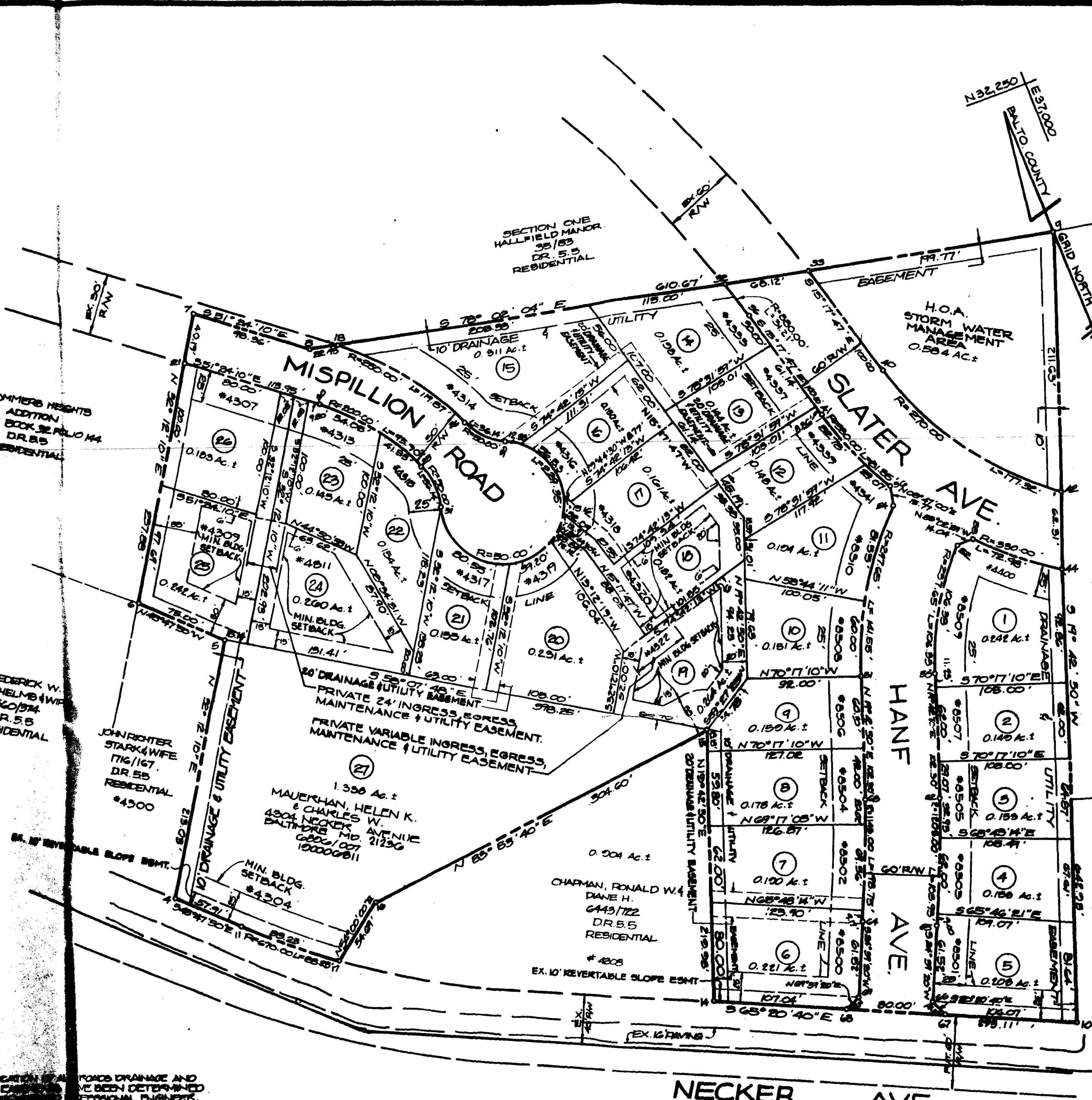
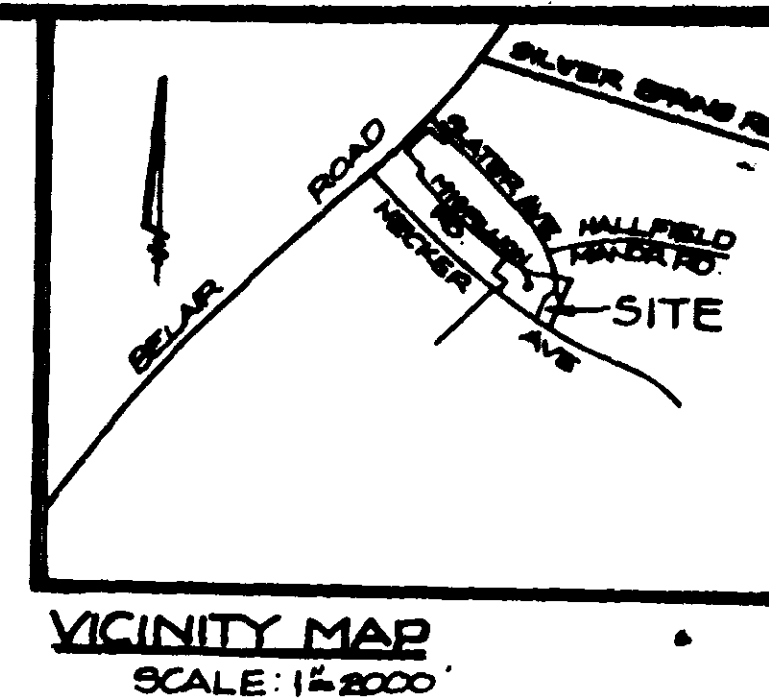
NOTE:
1) FUTURE, IRREVOCABLE OFFERS OF RESERVATION HAVE BEEN MADE.
2) RESERVATIONS OF THIS PLAN DOES NOT CONSTITUTE OR IMPLY ACCEPTANCE OF THE SURVEY BY ANY STREET, EASEMENT, PLANNED DRIVE, OR OTHER PUBLIC AREA SHOWN ON THIS PLAN.
3) THIS PLAN IS IN FULL COMPLIANCE WITH THE PROVISIONS OF DISTRICT CODE TITLE 28-20 (SECTION 28-20-1).
4) ADJACENT OWNERS OF THIS PLAN ARE NOT GUARANTEED INFORMATION OF CHANGES OR UPDATES BY DISTRICT CODE TITLE 28-20.
5) THE INFORMATION SHOWN ON THIS PLAN MAY BE SUPERSEDED BY A SUBSEQUENT REVISION OF THIS PLAN.

NOTE:
THE INFORMATION SHOWN ON THIS PLAN ARE REFERRED TO THE PLANNING AND ZONING COMMISSION OF THE BALTIMORE COUNTY METROPOLITAN GOVERNMENT FOR REVIEW AND APPROVAL.

DATE: 8/1/88

W. DUVALL & ASSOCIATES, INC.
ENGINEERS/PLANNERS/SURVEYORS
550 EAST JORDAN ROAD
TOWSON, MARYLAND 21204
PHONE (301) 286-7871

COMPUTED BY: M.A.K.
DRAWN BY: D.O.R.
CHECKED BY: R.S.A.
PROJECT NUMBER: 86089



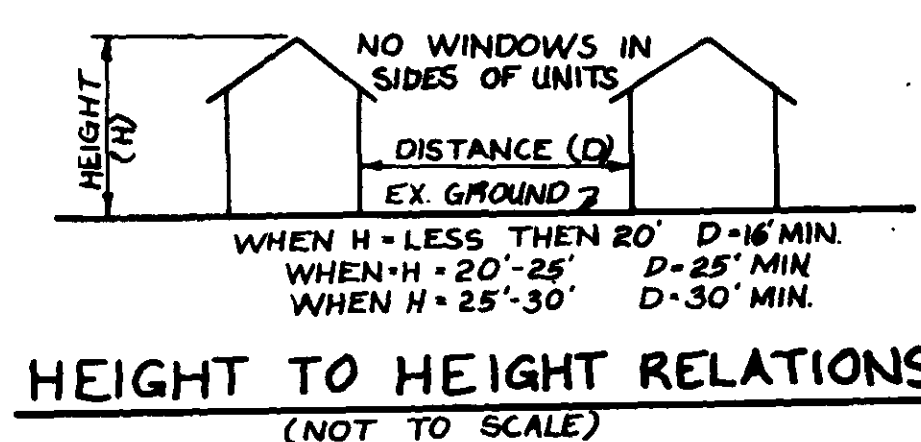
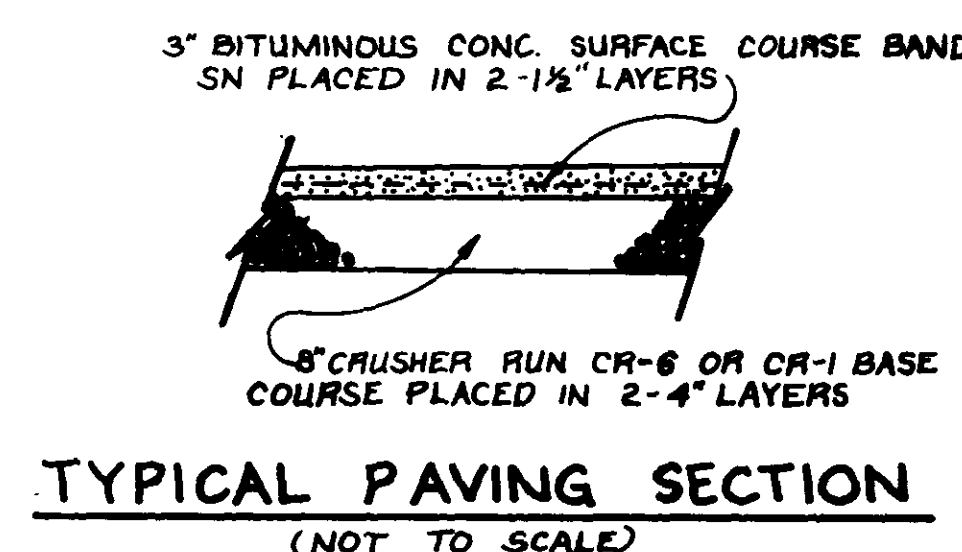
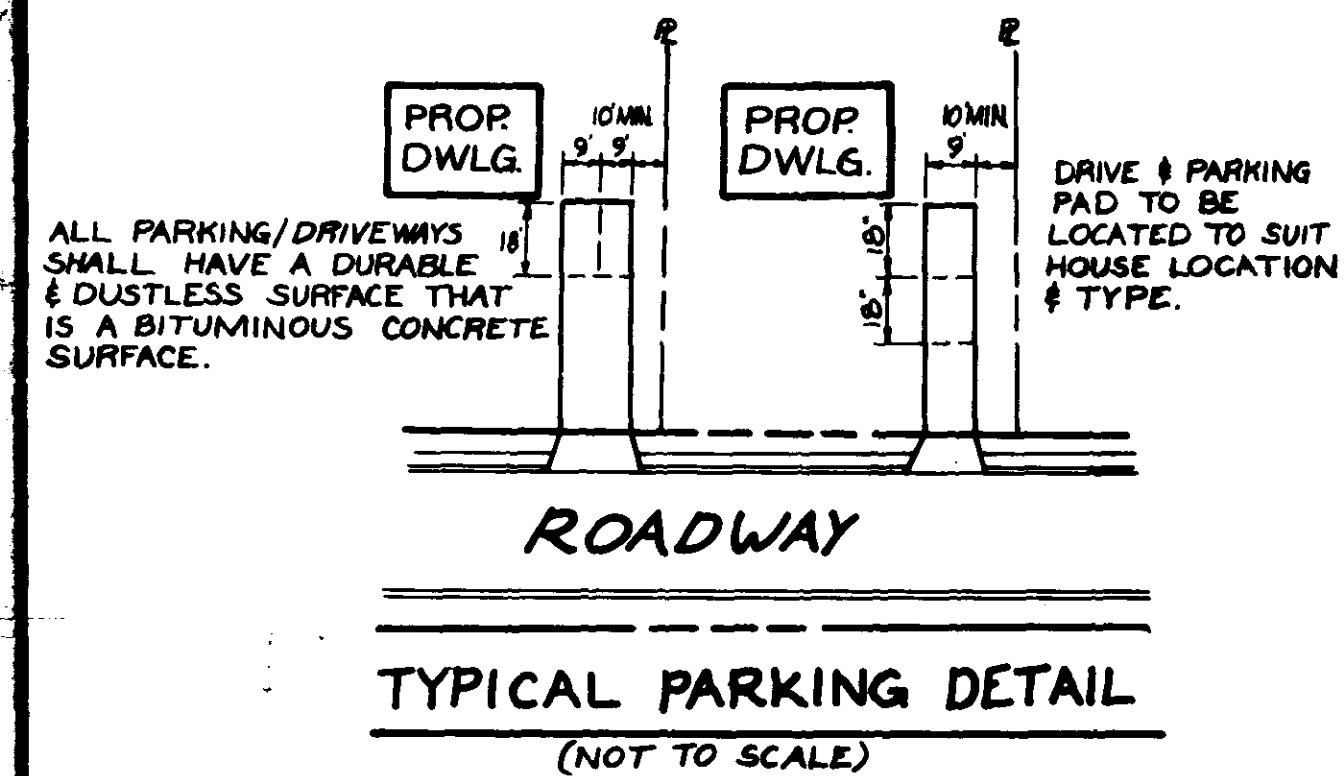
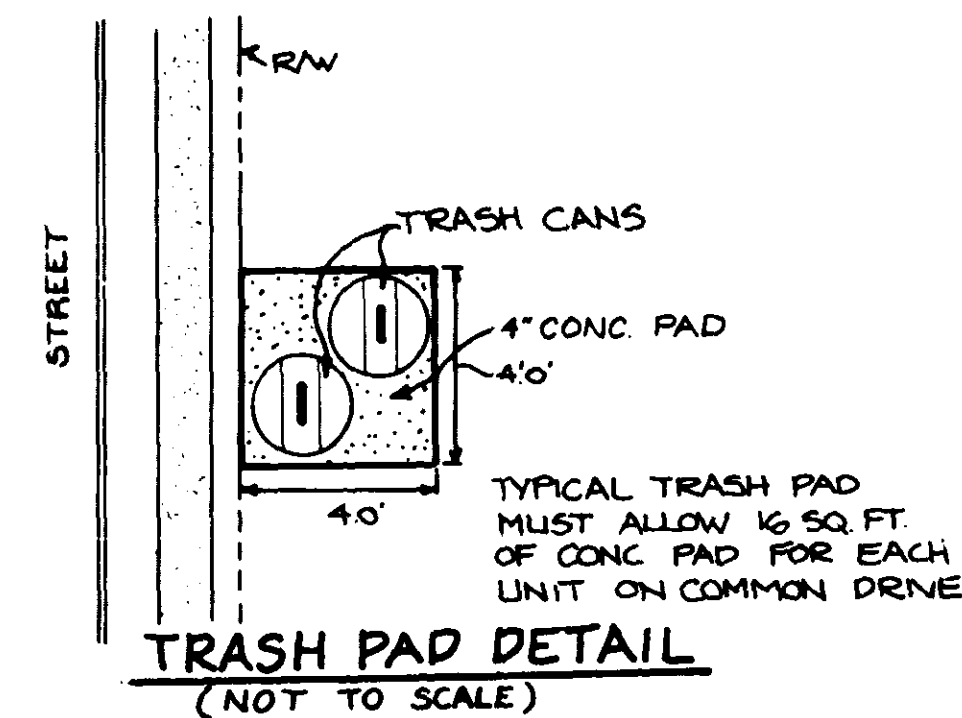
DENSITY CALCULATIONS

GROSS AREA = 8.500 AC.
DENSITY BY ZONING = DR.55 27:8.30:3.25
TOTAL ALLOWED UNITS = 59 x 8.30 = 489.55
PROPOSED DWELLING UNITS = 27
PARKING SPACES REQUIRED = 27 x 2.0 = 54 SP.
PARKING SPACES PROVIDED = 54 SPACES
LOCAL OPEN SPACES REQUIRED = 27 x 0.008 = 0.216 AC.
LOCAL OPEN SPACES PROVIDED = 0.000 AC.
WAIVER APPROVED ON 12-10-86

NOTE: TRASH COLLECTION, SNOW REMOVAL & ROAD MAINTENANCE ARE TO BE PROVIDED TO THE JUNCTION OF PANHANDLE AND STREET EIGHT-OR-WAYS.
ACCESS FOR LOTS 1, 5, 6 & 11 MUST BE ON HANF AVENUE.
THE DEVELOPER AGREES TO COMPLY WITH THE BEST MANAGEMENT PRACTICES POLICY.

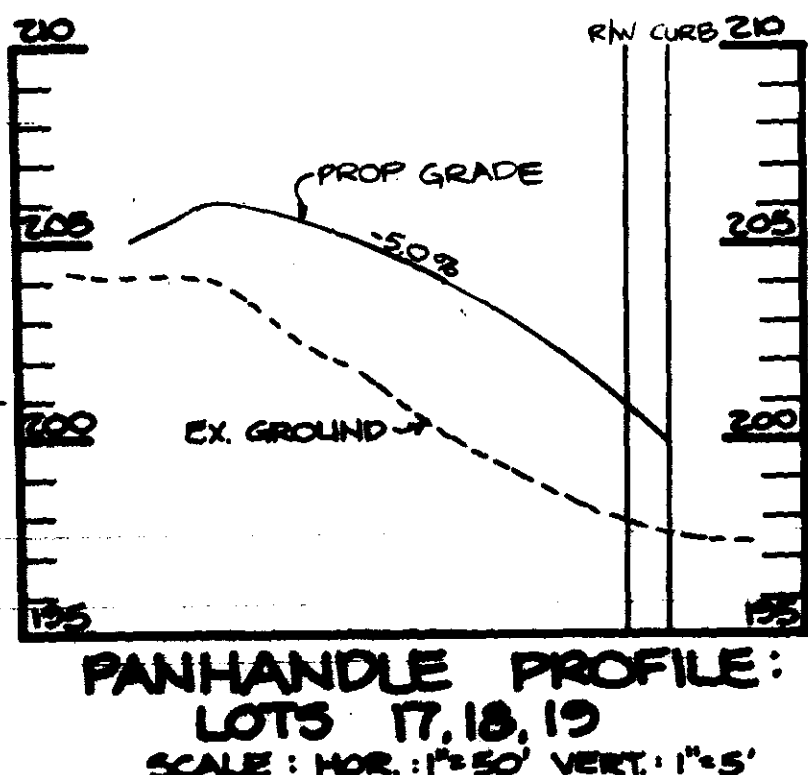
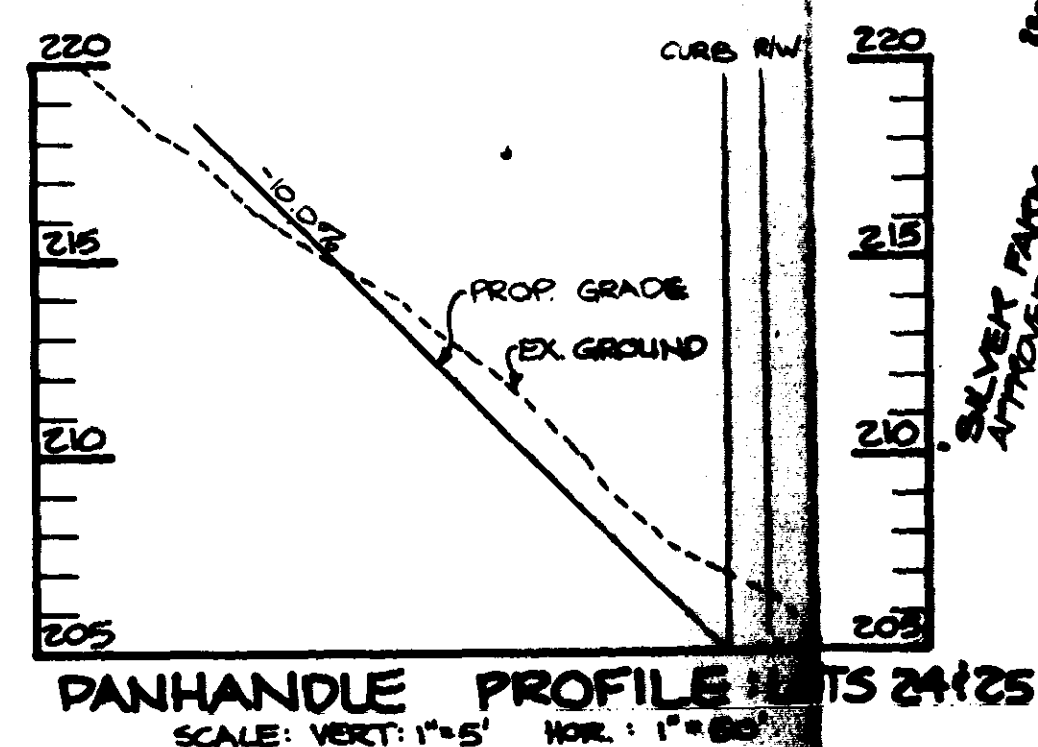
PETITIONER'S EXHIBIT No. 1

DATE: 8/1/88
SUB: *[Signature]*
MICROFILMED



ZONING REGULATIONS

WINDOW TO WINDOW - 40'
 WINDOW TO TRACT BOUNDARY - 35'
 WINDOW TO STREET R/W - 25'
 WINDOW TO LOT LINE - 15'
 BUILDING TO TRACT BOUNDARY - 30'
 BUILDING TO EXISTING R/W - 25'
 BUILDING TO EXISTING R/W E - 50'
 BUILDING TO PROPOSED R/W - 0'



ENGINEERS • SURVEYORS • LAND PLANNERS
W. DUVALL & ASSOCIATES, INC.
 530 EAST JOPPA ROAD
 TOWSON, MARYLAND 21204
 (301) 583-9571

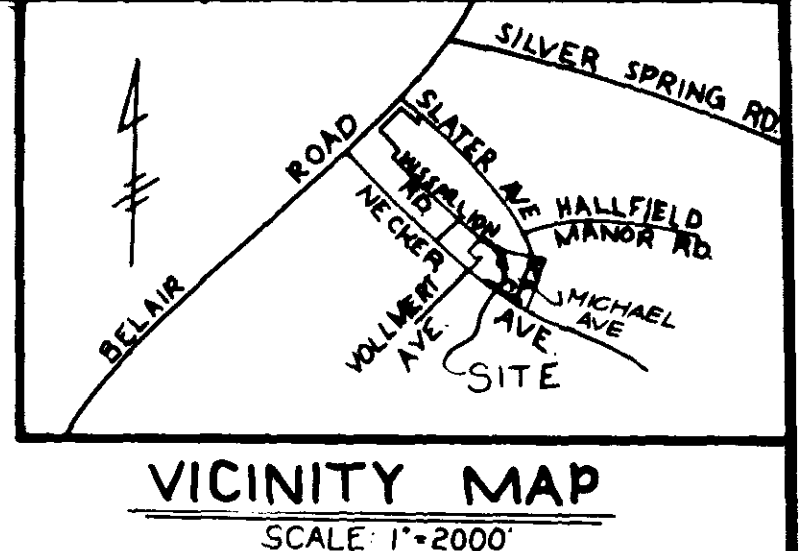
2ND AMENDED DATA
 G.W. STEPHENS JR & ASSOC
 658 KENNEDY DRIVE
 TOWSON, MD 21204
 825-1120

OWNER / DEVELOPER
 PEAKNESS SILVER HILL, INC.
 1114 GUYTONS MILL COURT
 OWINGS MILLS, MD. 21117
 363-5892

SOIL TYPES & LIMITATIONS			
TYPES	LIMITATIONS TO STREET AND PARKING LOTS	HOMESITE (3 STORIES OR LESS) WITH BASEMENT	SOIL CLASS
JpB	MODERATE: SLOPE	SLIGHT	A
JpD2	SEVERE: SLOPE	MODERATE: SLOPE	A
SdD3	SEVERE: SLOPE	SEVERE: SLOPE	B

1. TO REVISION PLAN TO A CORRELATE TO THE TYPES
 2. TO CHANGE OWNER/LEVELLER
 3. TO REVISION LOT LINE...
 4. TO CHANGE FROM 5' TO 10'...
 5. TO REVISION STREET...
 6. NO LOTS...
 7. TO REVISION...
 8. TO REVISION...
 9. TO REVISION...
 10. TO REVISION...
 11. TO REVISION...
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 19. TO REVISION...
 20. TO REVISION...

DENSITY CALCULATIONS	
GROSS AREA	8,300 AC ±
HIGHWAY DEDICATION	0.00 AC ±
NET AREA	8,300 AC ±
ZONING	D.R. 5.5
LOTS PERMITTED	8,300 AC x 5.5 = 45,650
LOTS PROPOSED	45 LOTS
PARKING REQUIRED	2 SPACES PER UNIT
PARKING PROPOSED	2 x 27 = 54 SPACES
OPEN SPACE REQUIRED	1 MIN. OF 2 OFF STREET SPACES PER UNIT
OPEN SPACE PROPOSED	27 x 650 = 0.40 AC ±
	WAIVED
	12-10-86



2ND AMENDED NOTES 6-14-84
 1. TO REVISION PLAN TO A CORRELATE TO THE TYPES
 2. TO CHANGE OWNER/LEVELLER
 3. TO REVISION LOT LINE...
 4. TO CHANGE FROM 5' TO 10'...
 5. TO REVISION STREET...
 6. NO LOTS...
 7. TO REVISION...
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 20. TO REVISION...

- GENERAL NOTES:**
- DEED REFERENCE: 6896/007
 - UNITS TO BE SOLD
 - LANDSCAPE REQUIREMENT: A MINIMUM OF ONE TREE PER LOT
 - PANHANDLE DRIVES ARE TO BE BITUMINOUS AND MAINTENANCE WILL BE EQUALLY SHARED BY ALL PARTIES HAVING RIGHTS TO THEIR USE
 - REFUSE COLLECTION AND SNOW REMOVAL ARE TO BE PROVIDED BY BALTIMORE COUNTY
 - STORMWATER WILL BE MANAGED IN A WET POND WHICH WILL BE OWNED AND MAINTAINED BY THE DEVELOPER
 - THERE ARE NO PROPOSED WELL & SEPTIC AREAS ON THE SITE
 - THERE ARE NO KNOWN CRITICAL AREAS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES HABITATS OR HAZARDOUS MATERIALS ON THIS SITE
 - MAJOR VEGETATION ON SITE IS MEADOW
 - ENVELOPES SHOWN HEREON ARE FOR THE LOCATION OF ALL PRINCIPLE BUILDINGS ONLY, ACCESSORY STRUCTURES, FENCES, PROJECTIONS INTO YARDS, MAY BE CONSTRUCTED OUTSIDE THE ENVELOPE, BUT MUST COMPLY WITH SECTIONS 400 AND 301 OFF THE BALTIMORE COUNTY ZONING REGULATIONS (SUBJECT TO COVENANTS AND APPLICABLE BUILDING PERMITS)
 - ALL EXISTING VEGETATION WILL BE REMOVED UNLESS OTHERWISE INDICATED
 - ACCESSORY STRUCTURES, FENCES, AND PROJECTIONS INTO YARDS CANNOT BE LOCATED IN FLOOD PLAIN AREAS OR HYDRIC SOILS
 - IF DRAINAGE, UTILITY, AND WALKWAY EASEMENTS ARE FENCED AT LEAST 5 FEET MUST REMAIN OPEN FOR PEDESTRIAN ACCESS
 - THE EXACT LOCATION OF CURB CUTS FOR DRIVEWAY OR PARKING PAD ENTRANCES IS TO BE DETERMINED BY OWNER WHEN EXACT BUILDING MODELS BECOME AVAILABLE, BUT PRIOR TO INSTALLATION OF STREET CURBS
 - THIS DEVELOPMENT PLAN COMPLIES WITH THE C.R.G. PLAN AND ALL C.R.G. COMMENTS
 - A LANDSCAPE PLAN MUST BE APPROVED BY THE OFFICE OF PLANNING PRIOR TO THE ISSUANCE OF A BUILDING PERMIT
 - LOTS 1, 2, 3 & 11 SHALL HAVE ACCESS TO MICHAEL AVE. ONLY
 - SIDEWALKS WILL BE REQUIRED ADJACENT TO ALL PUBLIC ROADS
 - THE SEWAGE DISPOSAL SYSTEM ON 4308 NECKER AVE. MUST BE PUMPED AND EITHER BACKFILLED OR REMOVED WHEN UTILITIES ARE AVAILABLE

PETITIONER'S EXHIBIT No 2

RESUBDIVISION OF LOT 92, ROSE C. HANEY PROPERTY 49172
 C.R.G. PLAN APPROVED ON AUGUST 15, 1987
SILVERGATE EAST
 11TH ELECTION DISTRICT BALTIMORE COUNTY, MD
 SCALE: 1"=50'
 OCTOBER 28, 1987

OFFICE OF PLANNING AND ZONING
 APPROVED BY:
 DIRECTOR OF PLANNING DATE
 ZONING COMMISSIONER DATE

COORDINATE TABLE

NR	NORTH	EAST
1	8334.72	9629.81
2	8317.21	9617.10
3	8298.50	9600.87
4	8277.14	9578.15
5	8253.85	9549.15
6	8228.21	9513.27
7	8200.56	9470.80
8	8170.48	9421.01
9	8138.41	9364.71
10	8103.84	9301.82
11	8067.24	9232.33
12	8028.01	9156.34
13	7986.54	9073.85
14	7943.24	8984.86
15	7897.51	8889.37
16	7849.84	8787.38
17	7799.74	8678.89
18	7747.61	8563.90
19	7693.94	8443.41
20	7638.21	8317.42
21	7580.94	8185.93
22	7521.61	8048.94
23	7460.74	7906.45
24	7398.84	7758.46
25	7335.41	7604.97
26	7270.94	7445.98
27	7205.01	7281.49
28	7137.24	7111.50
29	7068.14	6936.01
30	6997.24	6754.92
31	6925.01	6568.43
32	6851.94	6376.54
33	6777.61	6179.25
34	6702.54	5976.56
35	6626.41	5768.47
36	6549.84	5554.98
37	6472.41	5336.09
38	6394.64	5111.70
39	6316.01	4881.81
40	6237.24	4646.42
41	6157.84	4405.53
42	6077.41	4159.14
43	5996.54	3907.25
44	5914.84	3650.86
45	5832.01	3389.97
46	5748.64	3124.58
47	5664.41	2854.69
48	5579.94	2580.30
49	5494.84	2301.41
50	5409.61	2018.02

NOTES:
 1) THE RECORDING OF THIS PLAT DOES NOT GUARANTEE THE INSTALLATION OF STREETS OR UTILITIES BY BALTIMORE COUNTY.
 2) THE OWNER/DEVELOPER WILL COMPLY WITH THE BEST MANAGEMENT PRACTICES ADOPTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
 3) THE PLAT FOR THIS PROPERTY SHOWN ON THIS PLAT WAS APPROVED ON 8-15-87.
 4) THE PLAT AS OTHERS INDICATED, ALL BUILDING FOOTPRINTS SHOWN HEREON HAVE BEEN PLACED AS THE RESULT OF AN INTERPRETATION OF CURRENTLY APPLICABLE REGULATIONS AND ORDINANCES OF THE BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING. EXCEPTIONS TO THESE RESTRICTIONS MAY APPLY, INCLUDING THE MINIMUM 4' BACK OF 22 FEET TO BE HELD FROM THE STREET RIGHT-OF-WAY TO THE GARAGE OR CARPORT ENTERED DIRECTLY FROM THE STREET.

CURVE DATA

FROM	TO	B	Δ	T	ARC	CHORD
18	21	250.00'	21°18'21"	61.11'	119.87'	537°40'00"E 119.13'
21	23	200.00'	27°25'21"	48.44'	165.90'	537°40'00"E 144.94'
23	24	200.00'	41°14'55"	10.20'	36.14'	503°15'52"E 35.95'
24	25	200.00'	47°04'58"	18.20'	36.14'	544°30'06"E 35.35'
25	26	200.00'	282°45'07"	N/A	281.55'	N/A
26	27	200.00'	57°57'40"	41.44'	177.32'	534°06'37"E 174.15'
27	28	200.00'	44°12'40"	41.44'	161.85'	522°24'07"E 161.64'
28	29	200.00'	12°40'15"	36.64'	78.48'	547°47'09"E 78.48'
29	30	200.00'	28°58'10"	54.07'	106.93'	532°51'55"W 106.93'
30	31	200.00'	21°14'41"	72.14'	141.55'	535°20'15"W 141.55'
31	32	200.00'	4°56'30"	52.00'	108.93'	522°11'05"W 108.93'
32	33	200.00'	2°01'55"	13.61'	51.21'	516°18'45"E 51.21'

THE APPROVAL OF THIS PLAT IS BASED UPON A REASONABLE EXPECTATION THAT THE WATER AND SEWER SERVICE WHICH IS PLANNED FOR THE DEVELOPMENT WILL BE AVAILABLE WHEN BUILT. HOWEVER, BUILDING STANDARDS MAY BE ISSUED UNTIL THE PLANNING WATER AND SEWER SERVICE ARE COMPLETED AND DETERMINED TO BE ADEQUATE TO SERVE THE PLAT AND DEVELOPMENT.

SURVEYOR'S CERTIFICATE

THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF MARYLAND, DOES HEREBY CERTIFY THAT HE IS THE SURVEYOR WHO PREPARED THIS PLAT AND THAT THE LAND SHOWN ON THIS PLAT HAS BEEN LAYED OUT AND THE PLAT THEREOF HAS BEEN PREPARED IN COMPLIANCE WITH SECTION 1-203 OF THE REAL PROPERTY ARTICLE OF ANNOTATED CODE OF MARYLAND, PARTICULARLY INsofar AS SAME CONCERN THE MAKING OF THE PLAT AND THE SETTING OF THE MARKERS.



OWNER'S CERTIFICATE

THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT, HEREBY CERTIFIES THAT, TO THE BEST OF HIS KNOWLEDGE, THE REQUIREMENTS OF SECTION 1-203 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, HAS BEEN COMPLIED WITH, INsofar AS SAME CONCERN THE MAKING OF THE PLAT AND THE SETTING OF THE MARKERS.

NOTE

THE STREETS AND/OR ROADS SHOWN HEREON AND THE MENTION THEREOF IN THIS PLAT ARE FOR THE PURPOSE OF DESCRIPTION ONLY AND THE SAME ARE NOT INTENDED TO BE DEDICATED TO PUBLIC USE, THE TITLE THEREOF IS EXPRESSLY RESERVED IN THE GRANTORS OF THE DEED TO WHICH THIS PLAT IS ATTACHED, THEIR HEIRS AND ASSIGNS.

HIGHWAYS, INTERSTATE HIGHWAYS, SLOPE EASEMENT, FOREST, OUTCROP AREAS, IN THE CASE OF EASEMENT AND SEWERAGE MANAGEMENT AREAS, NO MATTER HOW UTILIZED, SHOWN HEREON ARE RESERVED TO THE OWNER AND EXCEPT FOR THOSE INDICATED AS PRIVATE ARE RESERVED TO THE BALTIMORE COUNTY, MARYLAND, BE COMPLY WITH THE BALTIMORE COUNTY, MARYLAND, AT NO COST.

NOTE

1) FORMAL IRREVOCABLE OFFERS OF DEDICATION HAVE BEEN MADE TO THE BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS FOR THE RECORDING OF THIS PLAT DOES NOT CONSTITUTE OR IMPLY ACCEPTANCE BY THE COUNTY OF ANY STREET, EASEMENT, PARK, OPEN SPACE, OR OTHER PUBLIC AREA SHOWN ON THIS PLAT.

2) THIS PLAT MAY EXPIRE IN ACCORDANCE WITH THE PROVISIONS OF BALTIMORE COUNTY BILL 88-82 (SECTION 22-68).

3) RECORDING OF THIS PLAT DOES NOT GUARANTEE INSTALLATION OF STREETS OR UTILITIES BY BALTIMORE COUNTY.

4) THE INFORMATION SHOWN ON THIS PLAT MAY BE SUPERSEDED BY A SUBSEQUENT OR AMENDED PLAT.

5) ADDITIONAL INFORMATION CONCERNING THIS PLAT MAY BE OBTAINED FROM THE OFFICE OF PLANNING AND ZONING AND THE DEPARTMENT OF PUBLIC WORKS.

P.W.A. COMPLETE

FINAL PLAT CHECKED BY: [Signature]
 PLANNING: [Signature]
 ENGINEERING: [Signature]
 STREET NAMES: [Signature]
 HOUSE NO.: [Signature]

NOTE

COORDINATES ARE HEARINGS SHOWN ON THIS PLAT ARE REFERRED TO THE SYSTEM OF COORDINATES ESTABLISHED IN THE BALTIMORE COUNTY METROPOLITAN DISTRICT AND ARE BASED ON THE FOLLOWING TRAVELER STATIONS:

11556 N 52 13 1.65 E 35600.55
 11557 N 51 67 6.92 E 36079.55

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.

CIVIL ENGINEERS & LAND SURVEYORS
 680 WILMINGTON DRIVE, SUITE 100
 TOWSON, MARYLAND 21204
 (301) 812-8120

COMPUTED BY

W.F.
 R.A.M.
 C.K.S.
 PROJECT NUMBER: 6709

PETITIONER'S EXHIBIT No. 4

RESUBDIVISIONS OF LOTS 1 & 2, 11, 12, 21, 22, 23, 24, 25 & 26
SILVERGATE EAST
 (S.M. 85-00)

11th ELECTION DISTRICT BALTIMORE CO. MD.
 SCALE: 1"=80'
 DATE: 10-15-87
 THIS SITE IS IN THE WHITE MARSH SEWER SHED.
 C.R.S. WAS APPROVED ON 8-15-87

Filed for record
 8-15-87 FOLIO 127
 Date OCT 18 1987

Test:
 [Signature]
 Clerk

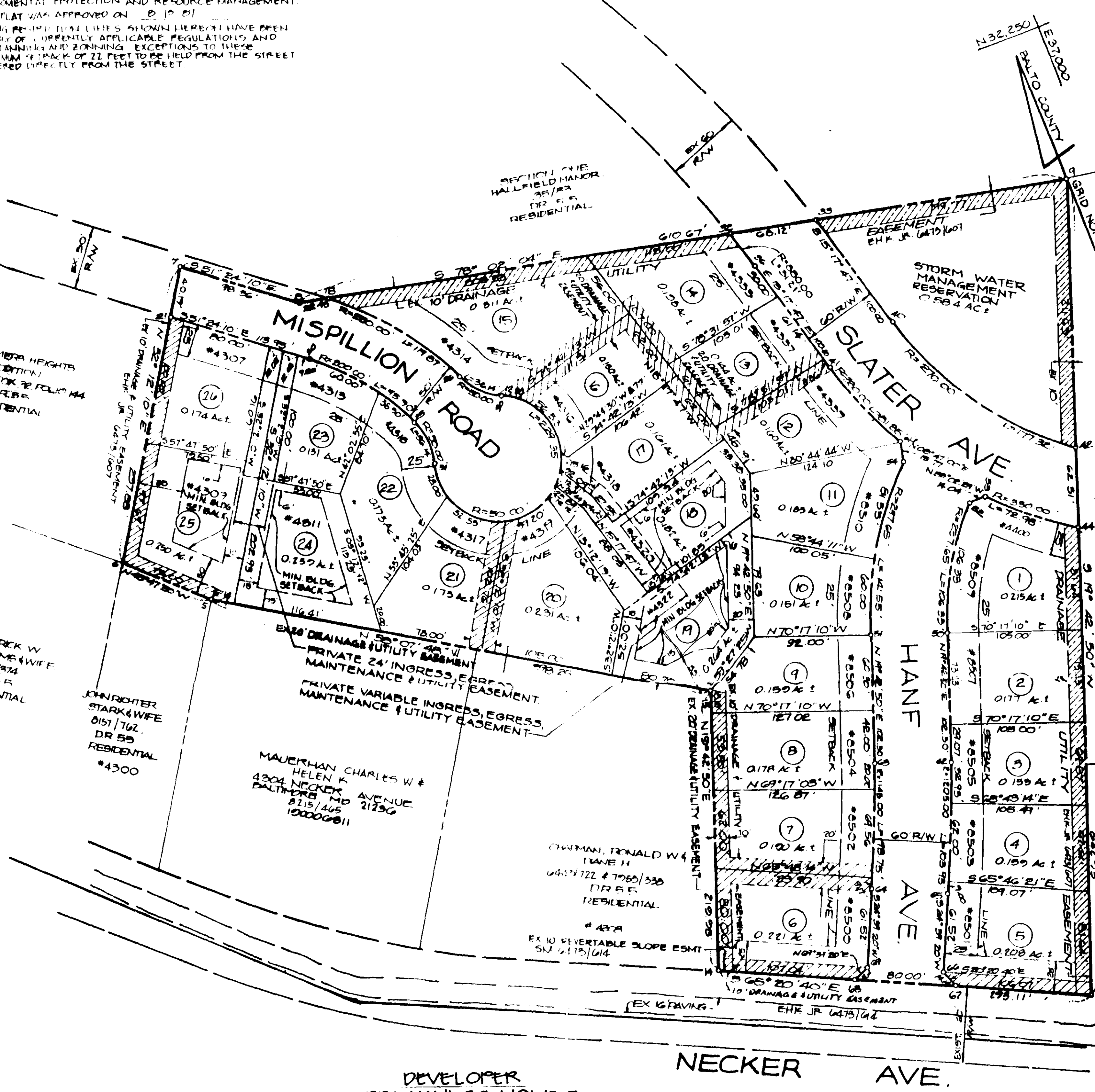
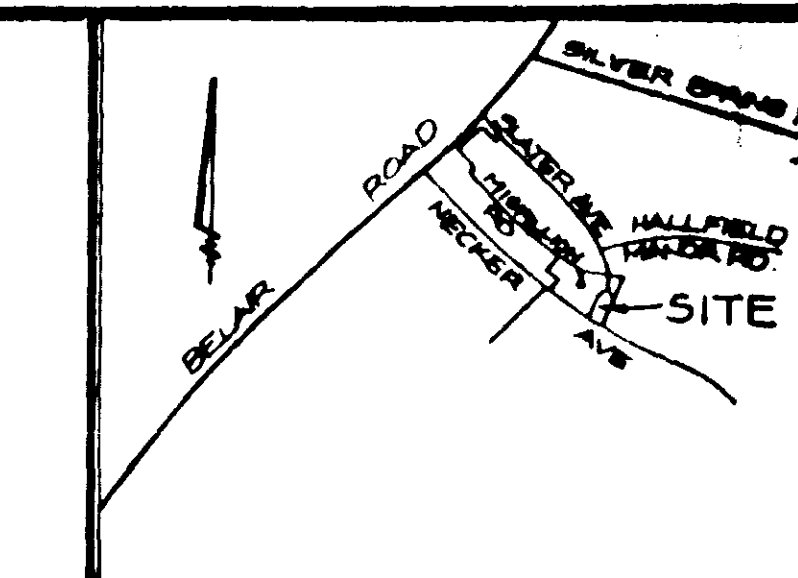
* REASON FOR RESUBDIVISION - ADJUST LOT LINES, OVI, L&S 27 AND CORRECT LOT AREA OF LOT 4

NOTE: TRASH COLLECTION, SNOW REMOVAL & ROAD MAINTENANCE ARE TO BE PROVIDED TO THE JUNCTION OF PANHANDLE AND STREET RIGHT-OF-WAY.
 ACCESS FOR LOTS 1, 5, 6 & 11 MUST BE ON HANF AVENUE.

DENSITY CALCULATIONS

GROSS AREA = 710 AC.
 DENSITY BY ZONING = DR 55 26-710 = 3.66
 TOTAL ALLOWED UNITS = 55 x 710 = 39
 PROPOSED DWELLING UNITS = 26
 PARKING SPACES REQUIRED = 26 x 2.25 = 58.5
 PARKING SPACES PROVIDED = 52 SPACES
 LOCAL OPEN SPACES REQUIRED = 26 x 0.005 = 0.13
 LOCAL OPEN SPACES PROVIDED = 0.000 AC.
 WAIVER APPROVED ON 12-10-86
 AREA OF PLAT = 6702 AC.

VICINITY MAP
 SCALE: 1"=2000'



DEVELOPER
 PREAKNESS HOMES

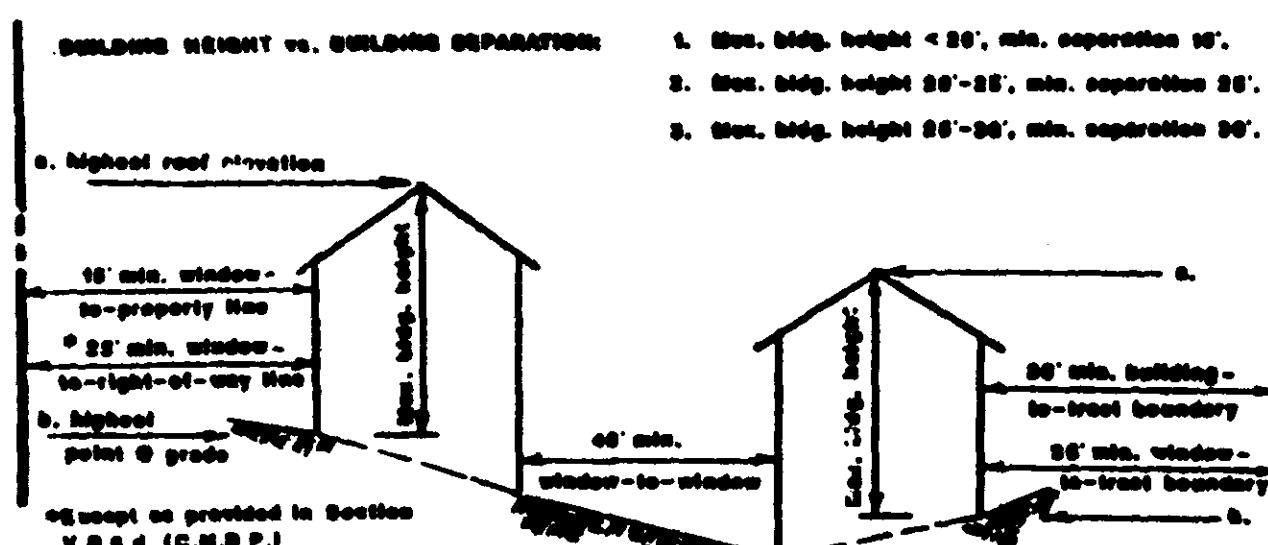
OWNER
 PREAKNESS SILVER HILL, INC.
 111 GWYNNS MILL CT
 OWINGS MILLS, MD 21117
 (301) 362-3822

DEED REFERENCE: S.M. 8514 FOLIO 602
 TAX ACCOUNT NUMBERS: LOT 1 THRU LOT 26
 21-00-00610 THRU 21-00-00620 INCLUSIVE
 21-00-00623

13 ZONING COMMISSIONERS RULING ON SPECIAL
VARIANCE CASE NO. 02-43-SA

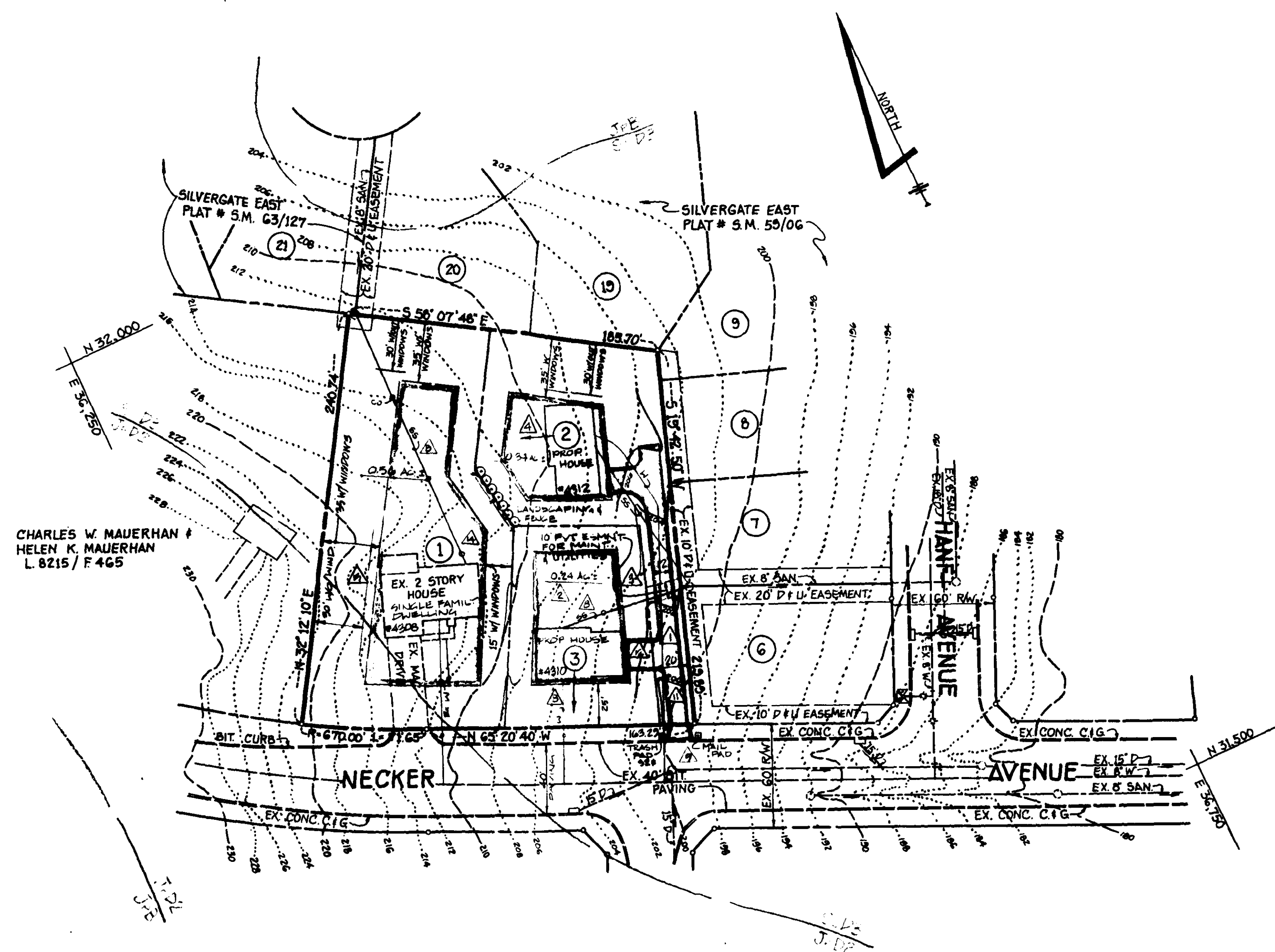
1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County



BUILDING HEIGHT & SETBACK RESTRICTIONS
N.T.S.

658 KENILWORTH DRIVE, SUITE 100
TOWSON, MARYLAND 21204
(301) 825-8120



NO.	REVISION	DATE
1	LOT # 2 PANHANDLE DRIVE RELOCATED	2.10.92
2	LOT # 3 LOT LINES REVISED	2.10.92
3	PRIVATE UTILITY EASEMENT SHOWN	2.12.92
4	LOT # 2 HOUSE FRONT ORIENTATION REVISED	2.17.92
5	TRACT BOUNDARY SETBACK SHOWN	5.11.92
6	NOTE 24-30 ADDED	2.22.92
7	PANHANDLE PENINSULA PROFILE ADDED	4.1.92
8	WATER AND SEWER MAIN CONNECTIONS SHOWN	4.1.92
9	MAIL AND TRASH PACE SHOWN	4.1.92
10	NOTED AND REVISED	4.1.92
11	PANHANDLE PENINSULA GRADING SHOWN	4.1.92
12	PENINSULA TO LOT # 3 RELOCATED TO SIDE YARD	5.19.92
13	FLUSH QUOTIENT VARIANCE CASE NO. 92-49-5A ADDED	5.19.92
14	PUBLIC GROUND UTILITIES, BAIST GAFFIC REMOVED	6.28.92

PETITIONER'S
EXHIBIT *no. 6*

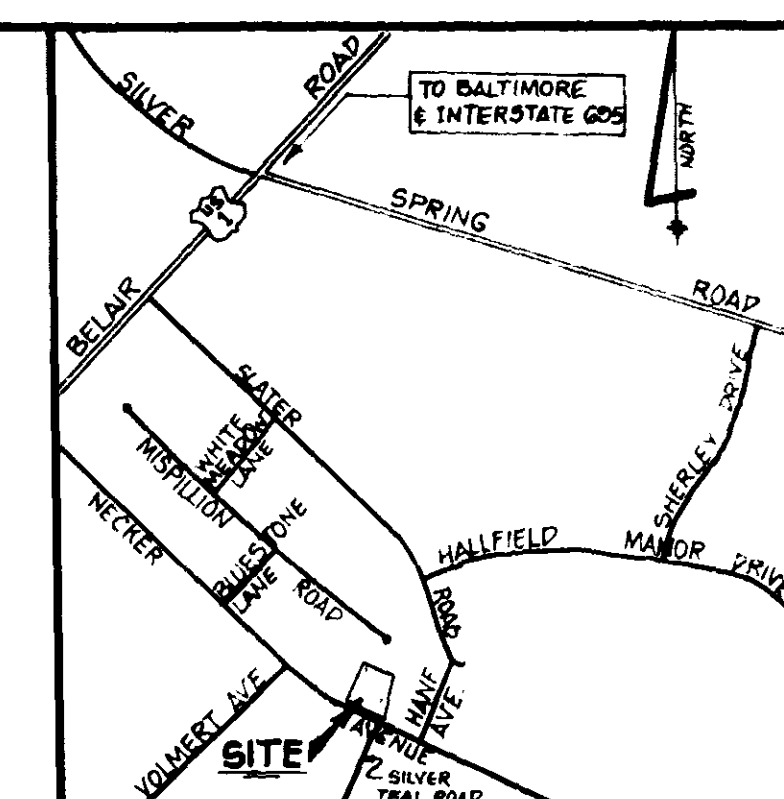
OWNER / DEVELOPER
RONALD W. CHAPMAN
4308 NECKER AVENUE
BALTIMORE, MD. 21296
PH. 410-256-0669



MICROFILMED

**CHAPMAN PROPERTY
MINOR SUBDIVISION**

BALTIMORE COUNTY, MARYLAND DATE: 31 JANUARY, 1991
PUBLIC SERVICES NO. 92064-M PLANNING NO. _____



VICINITY MAP
SCALE 1"=100'

GENERAL NOTES

- 1 SITE DATA
- EXISTING ZONING: DR-55 MAP NO 500,
- NET AREA 1.14 AC ±
- GROSS AREA 1.30 AC (0.18 AC ± NECKER AREA R/W)
- UNITS PERMITTED: (1.32 X 55 = 71.5 U)
- LOCAL PROPOSED: 3 SINGLE FAMILY UNITS (3 X 1000 ± S.F.)
- LOCAL OPEN SPACE REQUIRED: 0.000000 AC ±
- 850 5 F X 3 = 0.0447650 AC ±
- LOCAL OPEN SPACE REQUIRED: A WALKER OF LOCAL OPEN SPACE WILL BE APPLICABLE FOR
- PARKING REQUIRED: 2 SP / UNIT X 3 = 6 SP
- PARKING PROVIDED: 6 SP
- 2 ELECTION DISTRICT # 11
- 3 COUNCILMANIC DISTRICT # 8
- 4 CENSUS TRACT # 41142
- 5 WATERSHED # 8
- 6 SUBVERSHERED # 17
- 7 DEED REFERENCE 6437472, 6215485
- 8 TAX ACCOUNT NO. 18000400
- 9 LANDSCAPING CLOVER, GRASS, FERNS, PIED, AGAVE
- 10 THERE ARE NO STEEP SLOPES (GREATER THAN 25 %) EXISTING ON THE SITE
- 11 THERE ARE NO WETLANDS, STREAMS, BODIES OF WATER, OR SPRINGS KNOWN TO EXIST ON THE SITE
- 12 THERE ARE NO 100 YEAR FLOODPLAINS EXISTING ON THE SITE
- 13 THERE ARE NO HISTORIC BOWLING GROUNDS ON THE SITE
- 14 THERE ARE NO CRITICAL AREAS EXISTING ON THE SITE
- 15 THERE ARE NO ARCHEOLOGICAL SITES KNOWN TO EXIST ON THIS SITE
- 16 THERE ARE NO ENDANGERED SPECIES HABITATS KNOWN TO EXIST ON THE SITE
- 17 THERE ARE NO HAZARDOUS MATERIALS KNOWN TO EXIST ON THE SITE
- 18 TAX MAP NO 72 BLOCK NO 18 PARCEL NO 857
- 19 THERE WILL BE NO FILING BY A LICENSED WELL DRILLER
- 20 EXISTING SEPTIC SYSTEM HAS BEEN PUMPED AND REMOVED OR BACKFILLED
- 21 AVERAGE DAILY TRIPS: 3 X 105 = 315 AOTS
- 22 SCHOOL DISTRICT: JEFFERSON COUNTY
- 23 PROPOSED HOUSES SHOWN ARE FOR GRAPHIC REPRESENTATION ONLY AND ARE NOT INTENDED TO SHOW THE EXACT SIZE AND LOCATION OF THE UNIT
- 24 THIS PROPERTY AS SHOWN ON THE PLAN HAS BEEN FIELD INACT BY THE OWNERSHIP SINCE ABOUT 1988. THE DEVELOPERS ENGINEER HAS DETERMINED THAT NO PART OF THE GROSS AREA OF THIS PROPERTY AS SHOWN ON THE PLAN HAS EVER BEEN UTILIZED AS DENSITY OR AREA TO SUPPORT ANY OTHER TYPE DWELLINGS
- 25 SEE C.C. 2001 99/10 4 03/07
- 26 ALL SITE RUNOFF WILL BE CONVEYED TO A SUITABLE OUTLET WITHOUT ADVERSELY AFFECTING OR RECEIVING WATERSHED WATERSHED COURSE WETLAND, STORMDRAIN
- 27 THERE ARE NO EXISTING WOODLANDS ON THIS SITE
- 28 PROPOSED WATERSHED AREAS WILL BE LIMITED TO 30% OF CLEARED AREA WITH RUNOFF CONVEYED AS SHEETFLOW THROUGH VEGETATED AREAS
- 29 THERE ARE NO DISCHARGEABLE AREAS OR DISCHARGEABLE AREAS OR HOUSE DOWNSPOUTS ARE TO BE DISCHARGED INTO PERMANENT AREAS OR INTO DRY WELLS WHERE FEASIBLE
- 30 PROPOSED VARIANCE IS REQUESTED FOR FROM B.C.2.R SECTION 4D2 PURSUANT TO SECTION 4D2.4E1 OF B.C.2.R RELATING TO TRANSPORTATION
- 31 THERE ARE NO INTERFERENCES FOR A NON-INDUSTRIAL DEVELOPMENT (CAME NO 82-43-54)
- 32 DRIVEWAYS WILL BE CONSTRUCTED OF BITUMINOUS CONCRETE IN ACCORDANCE WITH STANDARD SPECIFICATIONS

92-481-SPH

receipt

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R 001-6150
Number

Date

Please Make Check Payable To: Baltimore County 4250.00
BA 0210347M07-08-92

Cashier Validation

receipt

Baltimore Coun
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

Date

92-481

04A04-001181CHRC
BA 0210347M07-24-92 \$60.27
Please Make Check Payable To: Baltimore County

Cashier Validation

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

DATE: 7/10/92

Mr. & Mrs. Charles Mauerhan
4304 Necker Avenue
Baltimore, Maryland 21236

Mr. & Mrs. Ronald W. Chapman
4308 Necker Avenue
Baltimore, Maryland 21236

RE:
CASE #92-481-SPH (Item 512)
N/S Necker Avenue, 149' E of c/l Hanf Avenue
Silvergate East
11th Election District - 5th Councilmanic
Petitioner(s): Charles W. Mauerhan, et ux and Ronald W. Chapman, et ux
HEARING: WEDNESDAY, JULY 29, 1992 at 10:30 a.m. in Rm. 118, Courthouse

Dear Petitioner(s):

Please be advised that \$ 60.27 is due for advertising and posting of the above captioned property and hearing date.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 109, Towson, Maryland 21204. Place the case number on the check and make same payable to Baltimore County, Maryland. In order to avoid delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.

ARNOLD JABLON
DIRECTOR

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Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

JUNE 18, 1992

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE #92-481-SPH (Item 512)
N/S Necker Avenue, 149' E of c/l Hanf Avenue
Silvergate East
11th Election District - 5th Councilmanic
Petitioner(s): Charles W. Mauerhan, et ux and Ronald W. Chapman, et ux
HEARING: WEDNESDAY, JULY 29, 1992 at 10:30 a.m. in Rm. 118, Courthouse

Special Hearing to approve a third amendment to the Silvergate East Final Development Plan incorporating the deletion of Lot-87 to comply with record plat.

Lawrence E. Schmidt
Zoning Commissioner of
Baltimore County

cc: Charles and Helen Mauerhan
Ronald and Diane Chapman
George W. Stephens, Jr. & Associates, Inc.

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

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Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

July 9, 1992

Mr. & Mrs. Charles W. Mauerhan
4304 Necker Avenue
Baltimore, MD 21236

RE: Item No. 512, Case No. 92-481-SPH
Petitioner: Charles W. Mauerhan, et ux
Petition for Special Hearing

Dear Mr. & Mrs. Mauerhan:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

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Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

Your petition has been received and accepted for filing this 8th day of June, 1992

ARNOLD JABLON
DIRECTOR

Received By:
W. Carl Richards Jr.
Chairman,
Zoning Plans Advisory Committee

Petitioner: Charles W. Mauerhan, et al
Petitioner's Attorney:

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BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: June 26, 1992
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for June 29, 1992
Item [redacted]

The Developers Engineering Division has reviewed the subject zoning item. The landscape plan approved July 23, 1991 must be modified to accommodate this amendment.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:DAK:s

RESERVED
JUN 30 1992
ZONING OFFICE

MICROFILMED

SHA Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

June 24, 1992

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: Baltimore County
Item # 512
Silvergate East
Necker Avenue off of
US 1-Relax Road

Dear Ms. Winiarski:

After review of the above referenced plat, we offer the following:

Baltimore County Department of Public Works currently has an access permit from this office to connect Ridgely's Choice Drive to US 1, opposite Necker Avenue. We are currently awaiting design plans from your Developer's Engineering Division for the channelization of the Necker Avenue portion of the intersection to provide right turns in and right turns out at the US 1 intersection. A commitment has been made by the State Highway Administration (SHA) to install a traffic signal at the US 1 intersections with Necker Avenue and Slater Avenue when Ridgely's Choice Drive is connected.

Due to the limited sight distance at the existing intersection of US 1 and Necker Avenue, we do not recommend the approval of additional developments until the intersection modifications and traffic signal installations have been completed. The proposed schedule for Baltimore County to perform this work has not been determined at this time.

If you have any questions concerning these comments, please contact Peggy Blank of this office at 410-333-1350.

Very truly yours,
John Contestabile
John Contestabile, Chief
Engineering Access Permits
Division

RECEIVED
JUL 1 1992
ZONING OFFICE

My telephone number is 301-333-1350 (Fax# 333-1041)

Typewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 545-0451 D.C. Metro - 1-800-492-5063 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

Ms. Julie Winiarski
Page 2
June 24, 1992

cc: Mr. Robert Bowling
W. Duvall and Associates, Inc.
Mr. Robert Covahey

JULY 29, 1992

The requirement to Amend the FDP of "Silvergate East" was not foreseen by me, by G. W. Stephens and Associates, nor by Baltimore County officials at the Pre-development Conference or until after the Traffic Moratorium Variance Hearing. The cost of not filing a correct FDP is being paid by the Chapmans, Blemers, Duffys, and Moxeys.

Again, it would not seem fair to add the Owners and Contract Purchasers hardship by denying this variance.

MICROFILMED

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
James C. Smith	22 W. Padova Rd Suite 8320 21093
J. Strong Smith	658 KENILWORTH DR TOWSON 21204
Robert C. Petersen	658 KENILWORTH DR TOWSON 21204
Ronald W. Chapman	4304 Necker Ave, 21236
Helen K. Mauerhan	4304 Necker Ave, 21236
James Pinner	4308 Necker Ave, 21236
Charles W. Mauerhan	7421 Bay Forest Rd 21217
Victor J. Moxey	7421 Bay Forest Rd 21217

MICROFILMED

IN RE: PETITION FOR SPECIAL VARIANCE * BEFORE THE
N/S Necker Avenue, 260 ft. * ZONING COMMISSIONER
SE of Vollmert Avenue * OF BALTIMORE COUNTY
4308 Necker Avenue * Case No. 92-374-SA
11th Election District
6th Councilmanic District
Ronald W. Chapman, et ux
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Variance for that property known as 4308 Necker Avenue in the White Marsh area of Baltimore County. Specifically, the Petitioners seek a special variance, pursuant to Section 4A02.4.F.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), relating to transportation standards of intersections for a non-industrial development. The special variance, if granted, would be from the strict application of the standards enunciated within Section 4A02.4.D of the B.C.Z.R. That section restricts development within the shed of a falling intersection. The subject property is located within close proximity of the falling intersection at Belair Road and Putty Hill Avenue-Ridge Road.

The Petitioners, property owners, Ronald W. Chapman and Diane H. Chapman, appeared at the public hearing in support of their Petition. Also appearing were J. Strong Smith, the engineer who prepared the plat to accompany the Petition marked as Petitioners' Exhibit No. 1 and James E. Matthews, a development consultant. Other potential buyers of lots created by the proposed subdivision appeared in support of the Petition. There were no Protestants present.

7953 PAGE 338

DEED OF EXCHANGE

THIS DEED OF EXCHANGE, made this 29th day of August 1988, by and between CHARLES W. MAUERHAN and HELEN K. MAUERHAN, his wife (hereinafter referred to as "Mauerhan"), and RONALD W. CHAPMAN and DIANE H. CHAPMAN, his wife (hereinafter referred to as "Chapman").

WHEREAS, Mauerhan and Chapman are adjoining property owners of parcels of property in Baltimore County, Maryland; and

WHEREAS, each of the parties hereto, in order to revise their common property line, desires to convey parcels herein described to the other.

NOW, THEREFORE, THIS DEED WITNESSETH: That in consideration of these premises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Mauerhan does hereby grant and convey unto Chapman, the survivor of them and the survivor's heirs, personal representatives, successors and assigns, all of their right, title, interest and estate in that parcel of land situate and lying in Baltimore County, in the State of Maryland, designated as Parcel "A" on Exhibit 1 attached hereto and made a part hereof and described in Exhibit "2" attached hereto and made a part hereof.

TOGETHER with the buildings and improvements thereon and the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

TO HAVE AND TO HOLD said parcel of ground hereby conveyed, together with the rights and appurtenances aforesaid, unto Chapman, the survivor of them and the survivor's personal representatives, successors and assigns, in fee simple.

WITNESS FURTHER, that in consideration of these premises and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Chapman hereby grants and

RECEIVED FOR TRANSFER
State Department of Assessments & Taxation
for Baltimore County
JUL 29 1992
8-23-88

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE
SIGNATURE: [Signature]
DATE: 8-23-88

TRANSFER TAX NOT REQUIRED
Director of Finance
BALTIMORE COUNTY MARYLAND
Per: [Signature]
Authorized Signature
Date: 8-23-88 Sec. 11-85 C

W. DUVALL & ASSOCIATES, INC.

Engineers • Surveyors • Land Planners

July 6, 1988

DESCRIPTION OF PART OF THE LANDS OF CHARLES W. MAUERHAN, ET UX
Part of E.H.K. Jr. 6896 Folio 07

PARCEL A

BEGINNING for the same at the northeastern most corner of Lot No. 1 as shown on a plat entitled "Subdivision of Property of Rose C. Hanf" dated September 29, 1982 as recorded among the Land Records of Baltimore County in Plat Book E.H.K. Jr. 49 folio 72, said point also being at the end of the North 83 degrees 53 minutes 40 seconds East 304.80 foot line of a parcel of land which by deed dated October 6, 1982 was conveyed by Rose C. Hanf to Ronald W. Chapman and Diane H. Chapman, his wife, as recorded among the aforementioned Land Records in Liber E.H.K. Jr. 6443 folio 722; thence binding reversely of part of said line South 83 degrees 53 minutes 40 seconds West 236.65 feet; thence running for a new line of division as now established North 32 degrees 12 minutes 10 seconds East 145.62 feet to intersect the second or South 58 degrees 07 minutes 48 seconds East 396.25 foot line of the secondly described parcel of land saved and excepted in a deed dated December 29, 1986 was conveyed by Charles W. Mauerhan and Helen K. Mauerhan to Jon-Ric Corporation as recorded among the aforementioned Land Records in Liber S.M. 7454 folio 331; thence binding partly thereon South 58 degrees 07 minutes 48 seconds East 185.70 feet to the point of beginning.

Containing 0.3104 acres of land more or less.



530 East Joppa Road / Towson, Maryland 21204 / (301) 583-9571

EXHIBIT 2

MICROFILMED

W. DUVALL & ASSOCIATES, INC.

Engineers • Surveyors • Land Planners

July 6, 1988

DESCRIPTION OF PART OF THE LANDS OF RONALD W. CHAPMAN ET UX
Part of E.H.K. Jr. 6443 Folio 722

PARCEL B

BEGINNING for the same at a point on the northeasterly right of way line of Necker Avenue 40 feet wide, at the point of intersection with the beginning of the third or North 54 degrees 00 minutes 00 seconds East 54.69 foot line of a parcel of land which by deed dated October 6, 1982 was conveyed by Rose C. Hanf to Ronald W. Chapman and Diane H. Chapman, his wife, as recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. 6443 folio 722; thence binding on said third line and part of the fourth line of said conveyance North 54 degrees 00 minutes 00 seconds East 54.69 feet and North 83 degrees 53 minutes 40 seconds East 87.95 feet; thence running for a new line of division as now established South 32 degrees 12 minutes 10 seconds West 95.12 feet to intersect the aforementioned right of way line of Necker Avenue; thence binding thereon by a curve to the right having a radius of 670.00 feet and an arc length of 73.70 feet being subtended by a chord bearing North 58 degrees 04 minutes 10 seconds West 73.66 feet to the point of beginning.

Containing 0.1028 acres of land more or less.



530 East Joppa Road / Towson, Maryland 21204 / (301) 583-9571

EXHIBIT 3

MICROFILMED

Baltimore County Government
Zoning Commission
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

May 12, 1992

RECEIVED

MAY 18 1992

GEORGE WILLIAM STEPHENS JR. & ASSOC., INC.

Mr. and Mrs. Ronald A. Chapman
4308 Necker Avenue
Baltimore, Maryland 21236

RE: Petition for Special Variance
Case No. 92-374-SA

Dear Mr. and Mrs. Chapman:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm
att.
cc: Mr. J. Strong Smith

PETITIONER'S
EXHIBIT No. 7

MICROFILMED

Baltimore County Government
Planning BoardCHAPMAN
PROPERTY

401 Bosley Avenue
Towson, MD 21204

887-3211

June 23, 1992

TO: Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: P. David Fields, Secretary
County Planning Board

SUBJECT: Amended Final Development Plan
"Silvergate East"

RECEIVED

JUN 29 1992

GEORGE WILLIAM STEPHENS JR. & ASSOC., INC.

Pursuant to Section 1801.3A.7.b.i of the Baltimore County Zoning Regulations, the proposed Third Amended Final Development Plan of "Silvergate East" was reviewed and approved by the County Planning Board at its meeting on June 18, 1992. The Zoning Commissioner's proceedings on this plan may now be concluded.

P. David Fields
P. David Fields

PDF:TD:cam
SILVER FDP/EXHIBIT
cc: Lawrence Schmidt, Esq.
J. Strong Smith, P.E.

PETITIONER'S
EXHIBIT No. 8

N#	NORTH	EAST
4	15184.66	36115.34
5	32004.92	36228.87
6	11171.21	36178.10
7	32618.50	36201.87
8	32297.14	36378.73
9	32130.88	36476.15
10	31528.29	36591.27
11	31447.56	36442.88
12	31284.65	36287.09
13	31822.25	36264.22
14	31740.11	36219.77
15	31538.48	36040.71
16	32219.41	36128.46
17	32190.22	36087.55
18	32190.22	36087.55
19	32190.22	36087.55
20	32190.22	36087.55
21	32190.22	36087.55
22	32190.22	36087.55
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94	32190.22	36087.55
95	32190.22	36087.55
96	32190.22	36087.55
97	32190.22	36087.55
98	32190.22	36087.55
99	32190.22	36087.55
100	32190.22	36087.55

CURVE DATA					
CHORD			ARC		
FROM	TO	B	A	T	ARC
16	26	220.00'	27°28'21"	61.11'	119.87'
20	25	200.00'	27°28'21"	48.94'	98.70'
25	31	50.00'	41°24'55"	10.20'	36.14'
26	30	50.00'	28°45'58"	10.20'	36.14'
30	31	50.00'	28°45'58"	N/A	289.95'
30	42	570.00'	37°37'40"	91.94'	177.32'
41	56	590.00'	16°12'40"	41.34'	81.85'
53	44	330.00'	12°40'15"	36.64'	72.96'
54	50	237.65'	28°36'10"	54.07'	102.95'
52	51	237.65'	27°14'49"	72.14'	141.55'
54	51	180.00'	4°36'30"	32.00'	108.93'
62	64	1145.00'	4°56'30"	49.41'	98.78'
68	64	670.00'	7°07'03"	41.67'	83.23'
32	56	680.00'	2°01'55"	15.61'	31.21'
CHORD			ARC		
FROM	TO	B	A	T	ARC
357	40	00°00'E 118.73'			
357	40	00°00'E 94.95'			
507	00	17°12'E 55.55'			
544	37	04°E 58.58'			
			N/A		
554	06	57°E 174.15'			
32	24	07°E 81.64'			
347	47	05°E 72.80'			
552	51	53°W 103.48'			
530	20	15°W 140.22'			
532	11	05°W 103.70'			
522	11	08°W 98.72'			
347	21	02°E 89.18'			
516	18	43°E 51.21'			

THE LOCATION OF ALL ROADS DRAINAGE AND UTILITY EXISTING HAVE BEEN DETERMINED BY A REGISTERED PROFESSIONAL ENGINEER.

THE APPROVAL OF THIS PLAT IS BASED UPON A REASONABLE EXPECTATION THAT THE WATER AND SEWER SERVICE WHICH IS PLANNED FOR THE DEVELOPMENT WILL BE AVAILABLE WHEN NEEDED. HOWEVER, BUILDING PERMITS MAY NOT BE ISSUED UNTIL THE PLANNED WATER AND SEWER FACILITIES ARE COMPLETED AND DETERMINED TO BE ADEQUATE TO SERVE THE PROPOSED DEVELOPMENT.

APPROVED: [Signature] DATE 5/2/68
DIRECTOR OF PUBLIC WORKS

APPROVED: P D Fields 5/3/00
DIRECTOR OF PLANNING AND ZONING DATE

APPROVED: *[Signature]* 2-28-68

SURVEYOR'S OATH

THE UNDERSIGNED, A REGISTERED PROFESSIONAL SURVEYOR OF THE STATE OF MARYLAND, SOLEMNLY SWEARS THAT HE IS THE SURVEYOR WHO PREPARED THIS PLAN THAT THE LAND SHOWN ON THIS PLAN IS THE LAND OF THE STATE AND THE PLAN THEREON HAS BEEN MADE IN COMPLIANCE WITH SECTION 7-203 OF THE ANNOTATED PROPERTY ARTICLE OF MARYLAND. I HAVE BEEN PARTICULARLY THOROUGH IN MAKING CORNER MARKS OF THE PLAN AND SETTING OF THE MONUMENTS.

Stephen S. Finkbeiner

REG. NO. 102

CATE
SURVEYOR OF

The seal is circular with a dark, textured background. It features a central emblem that appears to be a ship or a similar maritime symbol. The words "NEW YORK" and "NEW JERSEY" are visible around the perimeter of the seal, separated by a small gap at the bottom. The overall image is grainy and high-contrast, typical of a photocopy.

OWNER'S CERTIFICATE

THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON
THIS PLAN, HEREBY CERTIFIES THAT, TO THE BEST OF
HIS KNOWLEDGE, THE REQUIREMENTS OF SECTION
2-106 OF THE REAL PROPERTY ARTICLE OF THE
ANNOTATED CODE OF MARYLAND, HAS BEEN COMPLIED
WITH, HEREON AS SAME CONCERN THE MARKING OF
THE PLAN AND THE SETTING OF THE MARKERS.

Charles W. Townsend, Plaintiff

JOY RICE GALT

[Signature]

ELIZABETH GALTICE PIERCE **DATE**

NOTE:

THE STREETS AND/OR ROADS SHOWN HEREON AND THE
ENTIRE THRESHOLD ARE BEING AS THE PROPERTY OF
THE CITY AND THE RAILS ARE NOT INTENDED TO BE OPEN
TO PUBLIC USE, THE FREE PEOPLE TO THE USING OF
IS EXPRESSLY RESERVED IN THE HANDS OF THE CITIES
WHICH THIS PLAY IS OBTAINED, THEIR HEATS AND ADDRESS

NOTE:

WOMEN AND WOMEN WORKING, SLOPE, DRAGGING, AND BY
STREETS WORKING WOMEN ARE RECEIVED FROM THE
CITY AND THE RAILS ARE NOT INTENDED TO BE OPEN
TO PUBLIC USE, THE FREE PEOPLE TO THE USING OF
IS EXPRESSLY RESERVED IN THE HANDS OF THE CITIES
WHICH THIS PLAY IS OBTAINED, THEIR HEATS AND ADDRESS

NOTE:

- 1) FURNISH IRREVOCABLE OFFERS OF RESERVATION HAVE BEEN MADE.
- 2) RESERVATION OF THIS PLOT DOES NOT CONSTITUTE AN ACCEPTANCE OF THE OFFER OF THE STREET, EASEMENT, RAMP, OPEN SPACE, OR OTHER PUBLIC AREA SHOWN ON THIS PLAN.
- 3) THIS PLOT MAY EXPIRE IN ACCORDANCE WITH THE PROVISIONS OF CALIFORNIA COUNTY LAWS 90-01 (COUNTY OF -00).
- 4) COMPLETION OF THIS PLAN DOES NOT GUARANTEE INSTALLATION OF UTILITY OR UTILITIES BY CALIFORNIA COUNTY.
- 5) THE IMPROVEMENTS SHOWN ON THIS PLAN MAY BE SUPERSEDED BY SUBSEQUENT OR AMENDED PLAN.
- 6) ADDITIONAL INFORMATION REGARDING THIS PLAN MAY BE OBTAINED FROM THE CITY OF LOS ANGELES AND COUNTY OF LOS ANGELES DEPARTMENTS OF PUBLIC WORKS.

P.E.A. CODE: 118501 5000
 FIVE PAGE
 PLANNED 31K
NO 17700 02
 FIRST NAME 01-88
 LAST NAME
 NOTE:
 INFORMATION SHOWN ON THIS
 REPORT ESTABLISHED BY THE
 BASED ON THE FOLLOWING:
 N 02191.68
 N 01076.72

W. DUMALL & ASSOCIATES, INC
ENGINEERS-PLANNERS-SURVEYORS
250 EAST JOPPA ROAD
TOWSON, MARYLAND 21204
PHONE (301) 258-4971

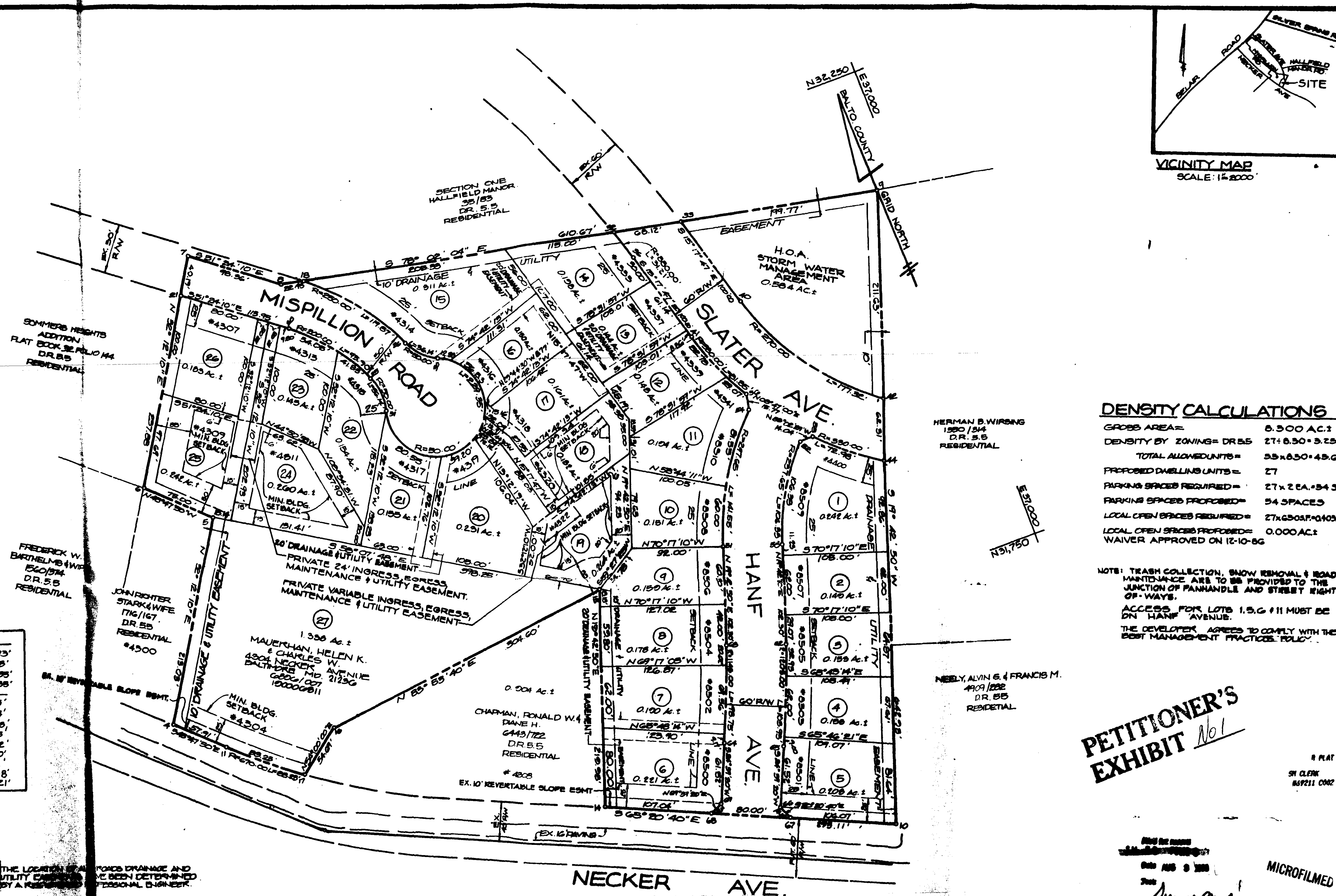
PLAN ARE REFERRED TO THE
STATE COUNTY METROPOLITAN
ENGINEERING DIVISION

55606.55
56079.55

COMPUTED BY: M.A.K.
DRAWN BY: D.O.R.
CHECKED BY: R.S.A.
PROJECT NUMBER: EG005

COMPUTED BY: M.A.K.
DRAWN BY: D.O.R.
CHECKED BY: R.S.A.
PROJECT NUMBER: 8605

59-6 22 50 5000



DENSITY CALCULATIONS

GROSS AREA = 8.300 AC.1
DENSITY BY ZONING = DR55 27, 8.30 = 3.25
TOTAL ALLOWED UNITS = 53 x 8.30 = 43.65
PROPOSED DWELLING UNITS = 27
PARKING SPACES REQUIRED = 27 x 2 EA. = 54 SP.
PARKING SPACES PROVIDED = 54 SPACES
LOCAL OPEN SPACES REQUIRED = 27 x .60 SF = 16.20 AC.
LOCAL OPEN SPACES PROVIDED = 0.000 AC.
WAIVER APPROVED ON 12-10-86

NOTE: TRASH COLLECTION, SNOW REMOVAL & ROAD MAINTENANCE ARE TO BE PROVIDED TO THE JUNCTION OF PANNHANDLE AND STREET RIGHT OF-WAYS.

ACCESS FOR LOTS 1,5,6 & 11 MUST BE ON HANF AVENUE.

THE DEVELOPER AGREES TO COMPLY WITH THE BEST MANAGEMENT PRACTICES POLICY.

**PETITIONER'S
EXHIBIT** No. 1

MICROFILME

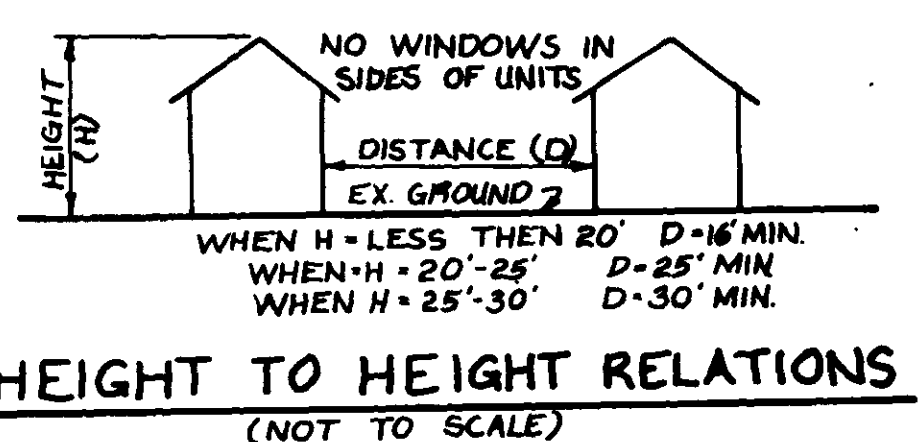
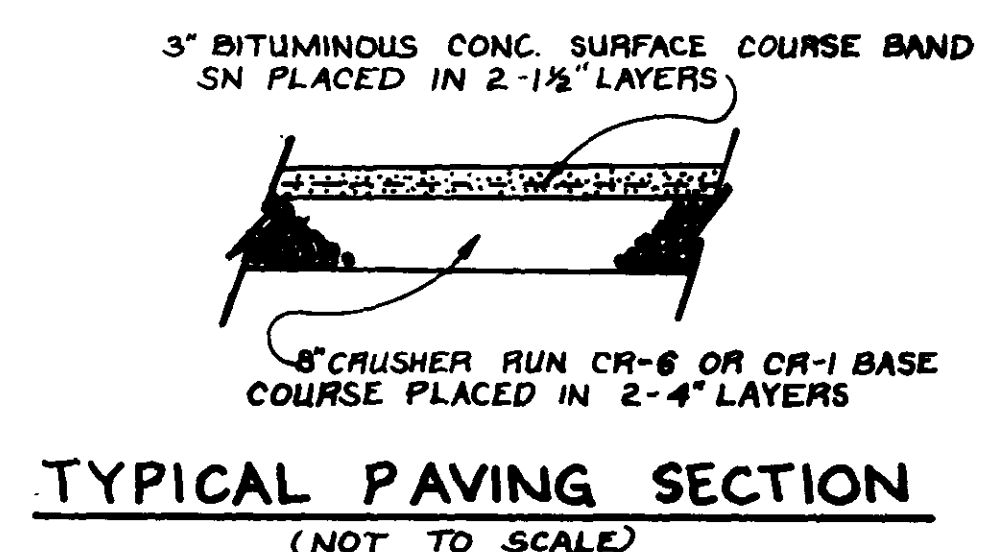
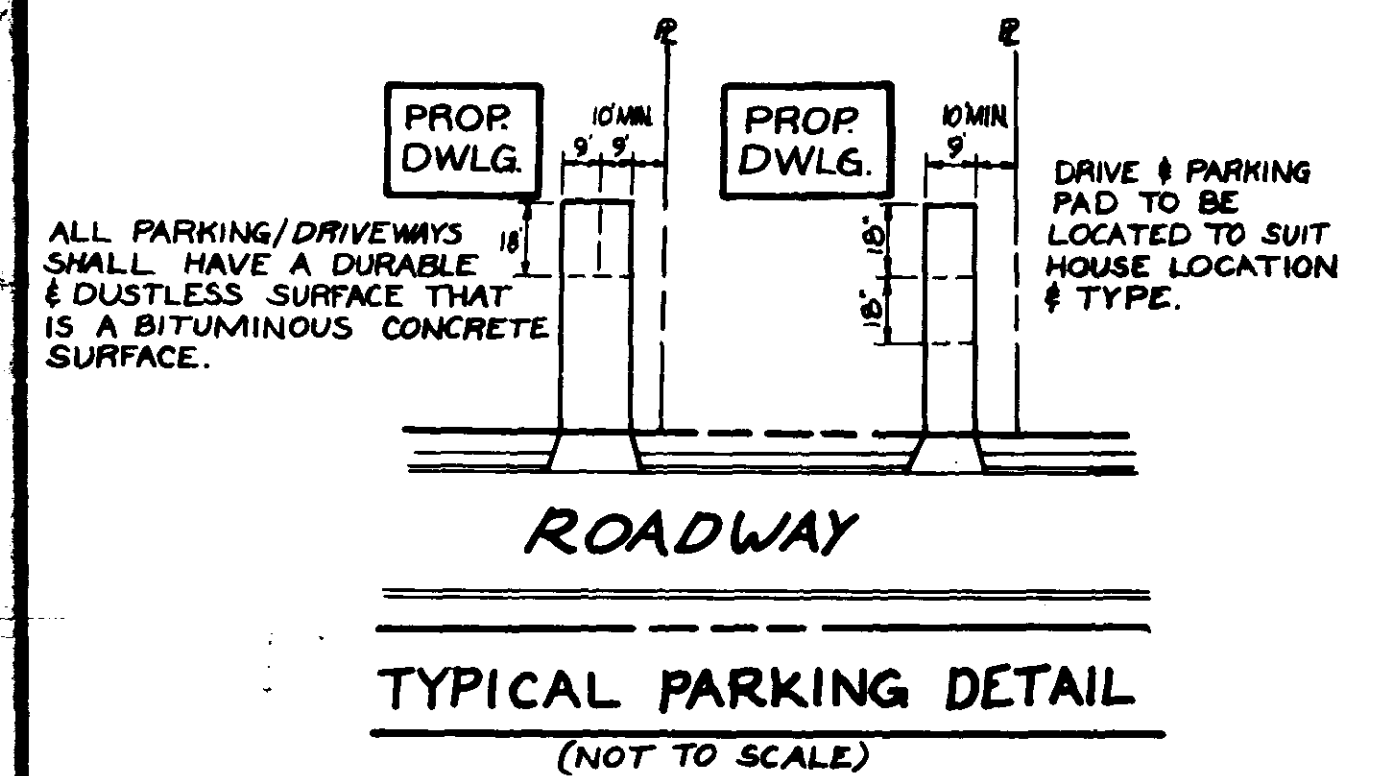
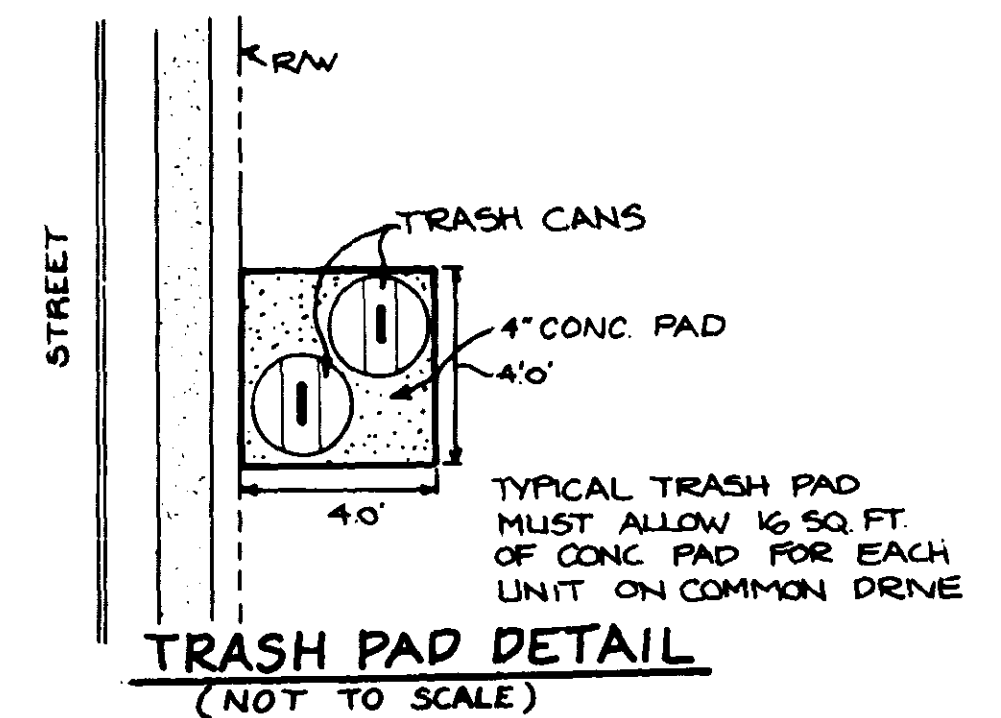
~~SILVERGATE EAST~~

SUBDIVISION OF LOTS OF THE ROSS C. HAMP PROPERTY 47/72
 11th ELECTION DISTRICT BALTIMORE CO. MD.
 SCALE: 1/4" = 50' DATE: 10-13-67
 THIS SITE IS IN THE WHITEMARSH SEWERSHED
 C.R.G. WAS APPROVED ON 8-18-67

W. DUNN & ASSOCIATES, INC
ENGINEERS PLANNERS SURVEYORS

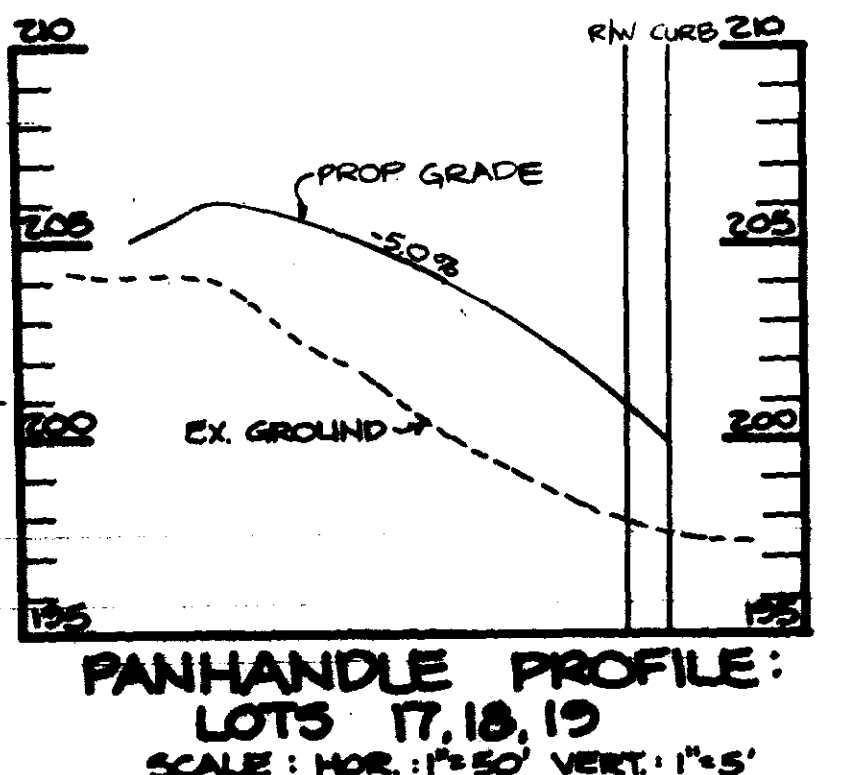
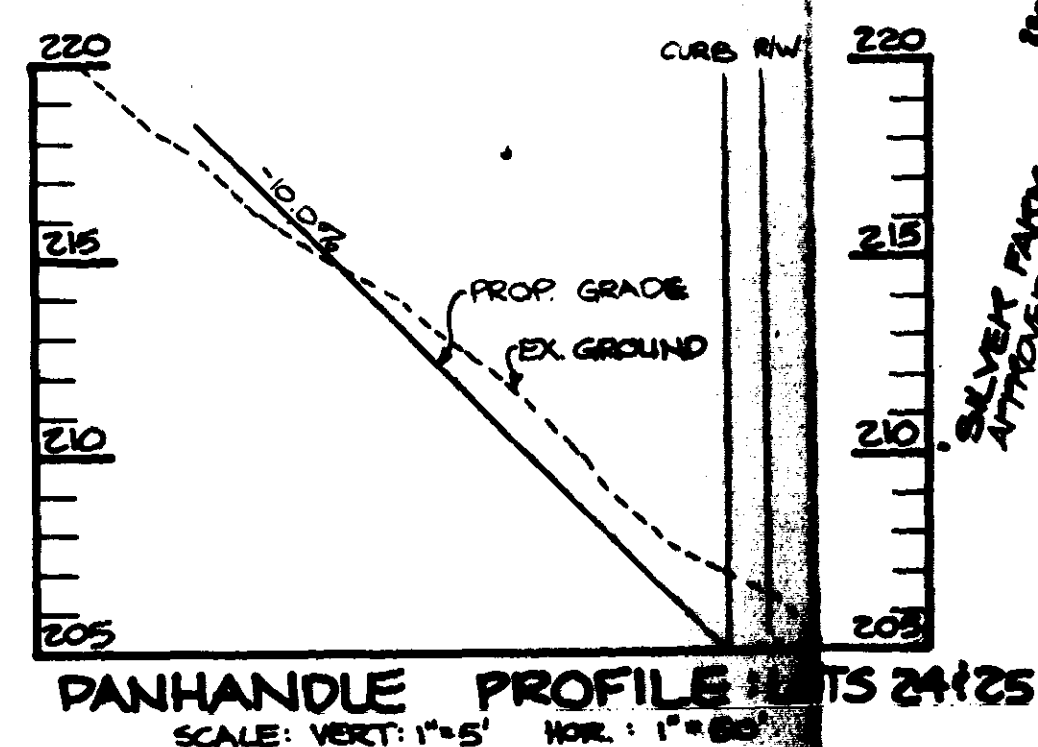
COMPUTED BY: M.A.K.
DRAWN BY: D.O.R.
CHECKED BY: R.S.A.
PROJECT NUMBER: 8605

59-6 22 50 5000



ZONING REGULATIONS

WINDOW TO WINDOW - 40'
 WINDOW TO TRACT BOUNDARY - 35'
 WINDOW TO STREET R/W - 25'
 WINDOW TO LOT LINE - 15'
 BUILDING TO TRACT BOUNDARY - 30'
 BUILDING TO EXISTING R/W - 25'
 BUILDING TO EXISTING R/W E - 50'
 BUILDING TO PROPOSED R/W - 0'



ENGINEERS • SURVEYORS • LAND PLANNERS
W. DUVALL & ASSOCIATES, INC.
 530 EAST JOPPA ROAD
 TOWSON, MARYLAND 21204
 (301) 583-9571

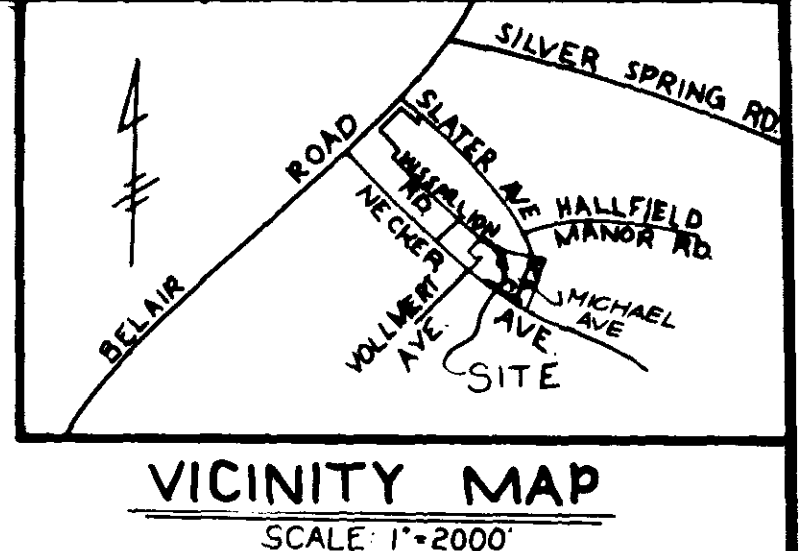
2ND AMENDED DATA
 G.W. STEPHENS JR. & ASSOC.
 658 KENILWORTH DRIVE
 TOWSON, MD 21204
 825-1120

OWNER / DEVELOPER
 PEAKNESS SILVER HILL, INC.
 1114 GUYTONS MILL COURT
 OWINGS MILLS, MD. 21117
 363-5892

SOIL TYPES & LIMITATIONS			
TYPES	LIMITATIONS TO STREET AND PARKING LOTS	HOMESITE (3 STORIES OR LESS) WITH BASEMENT	SOIL CLASS
JpB	MODERATE: SLOPE	SLIGHT	A
JpD2	SEVERE: SLOPE	MODERATE: SLOPE	A
SdD3	SEVERE: SLOPE	SEVERE: SLOPE	B

1. TO REVISION PLAN TO A CORRELATE TO THE TYPES
 2. TO CHANGE OWNER/LEVELLER
 3. TO REVISION LOT LINE...
 4. TO CHANGE FROM 5' TO 10'...
 5. TO REVISION STREET...
 6. NO LOTS... WITHIN 300 FEET

DENSITY CALCULATIONS	
GROSS AREA	8,300 AC ±
HIGHWAY DEDICATION	0.00 AC ±
NET AREA	8,300 AC ±
ZONING	D.R. 5.5
LOTS PERMITTED	8,300 AC x 5.5 = 45,650 45 LOTS
LOTS PROPOSED	27 LOTS
PARKING REQUIRED	2 SPACES PER UNIT 2 x 27 = 54 SPACES
PARKING PROPOSED	A MIN. OF 2 OFF STREET SPACES PER UNIT
OPEN SPACE REQUIRED	27 x 650 = 0.40 AC ±
OPEN SPACE PROPOSED	WAIVED 12-10-86



2ND AMENDED NOTES 6-14-84
 1. TO REVISION PLAN TO A CORRELATE TO THE TYPES
 2. TO CHANGE OWNER/LEVELLER
 3. TO REVISION LOT LINE...
 4. TO CHANGE FROM 5' TO 10'...
 5. TO REVISION STREET...
 6. NO LOTS... WITHIN 300 FEET

- GENERAL NOTES:**
- DEED REFERENCE: 6896/007
 - UNITS TO BE SOLD
 - LANDSCAPE REQUIREMENT: A MINIMUM OF ONE TREE PER LOT
 - PANHANDLE DRIVES ARE TO BE BITUMINOUS AND MAINTENANCE WILL BE EQUALLY SHARED BY ALL PARTIES HAVING RIGHTS TO THEIR USE
 - REFUSE COLLECTION AND SNOW REMOVAL ARE TO BE PROVIDED BY BALTIMORE COUNTY
 - STORMWATER WILL BE MAINTAINED BY THE OWNER WHICH WILL BE OWNED AND MAINTAINED BY THE OWNER
 - THERE ARE NO PROPOSED WELL & SEPTIC AREAS ON THE SITE
 - THERE ARE NO KNOWN CRITICAL AREAS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES HABITATS OR HAZARDOUS MATERIALS ON THIS SITE
 - MAJOR VEGETATION ON SITE IS MEADOW
 - ENVELOPES SHOWN HEREON ARE FOR THE LOCATION OF ALL PRINCIPLE BUILDINGS ONLY, ACCESSORY STRUCTURES, FENCES, PROJECTIONS INTO YARDS, MAY BE CONSTRUCTED OUTSIDE THE ENVELOPE, BUT MUST COMPLY WITH SECTIONS 400 AND 301 OFF THE BALTIMORE COUNTY ZONING REGULATIONS (SUBJECT TO COVENANTS AND APPLICABLE BUILDING PERMITS)
 - ALL EXISTING VEGETATION WILL BE REMOVED UNLESS OTHERWISE INDICATED
 - ACCESSORY STRUCTURES, FENCES, AND PROJECTIONS INTO YARDS CANNOT BE LOCATED IN FLOOD PLAIN AREAS OR HYDRIC SOILS
 - IF DRAINAGE, UTILITY, AND WALKWAY EASEMENTS ARE FENCED AT LEAST 5 FEET MUST REMAIN OPEN FOR PEDESTRIAN ACCESS
 - THE EXACT LOCATION OF CURB CUTS FOR DRIVEWAY OR PARKING PAD ENTRANCES IS TO BE DETERMINED BY OWNER WHEN EXACT BUILDING MODELS BECOME AVAILABLE, BUT PRIOR TO INSTALLATION OF STREET CURBS
 - THIS DEVELOPMENT PLAN COMPLIES WITH THE C.R.G. PLAN AND ALL C.R.G. COMMENTS
 - A LANDSCAPE PLAN MUST BE APPROVED BY THE OFFICE OF PLANNING PRIOR TO THE ISSUANCE OF A BUILDING PERMIT
 - LOTS 1, 2, 3 & 11 SHALL HAVE ACCESS TO MICHAEL AVE. ONLY
 - SIDEWALKS WILL BE REQUIRED ADJACENT TO ALL PUBLIC ROADS
 - THE SEWAGE DISPOSAL SYSTEM ON 4308 NECKER AVE. MUST BE PUMPED AND EITHER BACKFILLED OR REMOVED WHEN UTILITIES ARE AVAILABLE

PETITIONER'S EXHIBIT No 2

RESUBDIVISION OF LOT 92, ROSE C. HANEY PROPERTY 49172
 C.R.G. PLAN APPROVED ON AUGUST 15, 1987
SILVERGATE EAST
 11TH ELECTION DISTRICT BALTIMORE COUNTY, MD.
 SCALE: 1"=50'
 OCTOBER 28, 1987

OFFICE OF PLANNING AND ZONING
 APPROVED BY:
 DIRECTOR OF PLANNING DATE
 ZONING COMMISSIONER DATE

COORDINATE TABLE

N ₂	NORTH	EAST
65	30334.72	36259.87
66	30417.21	36175.10
67	30434.50	36201.57
68	30257.14	36270.75
69	30130.55	36476.15
70	31525.21	36197.27
71	31647.56	36249.88
72	31654.69	36667.09
73	32255.40	36407.71
74	32219.41	36249.58
75	32284.41	36280.46
76	32193.22	36467.55
77	32155.50	36275.26
78	32133.34	36298.10
79	32137.72	36214.58
80	32176.77	36290.78
81	32171.45	36290.78
82	32155.12	36282.94
83	32175.41	36267.10
84	32197.66	36279.23
85	32191.30	36194.76
86	32172.64	36265.74
87	31991.21	36257.95
88	31920.17	36270.87
89	31920.17	36284.06
90	31919.63	36277.94
91	31960.57	36770.44
92	31964.18	36780.34
93	31734.41	36722.88
94	31759.15	36666.96
95	31646.73	36468.01
96	31630.70	36488.66
97	31635.23	36457.73
98	31608.37	36496.46
99	31607.62	36603.42

CURVE DATA						
FROM	TO	R	Δ	T	ARC	CHORD
15	20	250.00	27°28' 21"	G1 H1	119.87'	53°57' 40.00" E 119.13'
20	25	250.00	27°28' 21"	48° PM	119.87'	53°57' 40.00" E 119.13'
25	30	250.00	41°24' 58"	10 20'	36.14'	53°08' 15.00" E 35.95'
30	35	250.00	44°04' 58"	10 20'	36.14'	53°04' 20.00" E 35.95'
35	40	250.00	57°37' 40"	N/A	229.55'	N/A
40	42	250.00	57°37' 40"	41 14'	177.32'	53°04' 06.37" E 174.15'
41	36	250.00	44°12' 40"	41 14'	81.86'	53°22' 24.07" E 81.64'
36	44	250.00	12°40' 15"	36 64'	72.18'	53°47' 47.00" E 72.18'
44	50	250.00	28°30' 10"	54 07'	106.93'	53°52' 51.55" W 103.45'
54	51	227.68'	27°14' 48"	72 14'	41.55'	53°59' 20.15" W 40.22'
51	68	180.00'	42°30' 30"	52 00'	105.93'	53°22' 11.05" W 103.90'
68	64	145.00'	4°56' 30"	44 01'	78.76'	53°21' 11.08" W 78.77'
64	52	660.00'	2°01' 55"	15 G1'	51.21'	51°07' 10.45" W 51.21'

SURVEYOR'S CERTIFICATE

OWNER'S CERTIFICATE

Joseph Britton Thor

LOUIS BREITENOTER

NOTE :

THE STREET, LAND, OR ROADS SHOWN HEREON AND THE MENTION THEREOF HEREIN ARE FOR THE PURPOSE OF DESCRIPTION ONLY AND THE SAME ARE NOT INTENDED TO BE DEDICATED TO PUBLIC USE, THE FE SIMPLE TITLE TO THE BEDS THEREOF IS EXPRESSLY RESERVED IN THE GRANTS OF THE DEED TO WHICH THIS PLAT IS ATTACHED, THEIR HEIRS AND ASSIGNS

NOTE: HIGHWAYS AND RAILROADS ARE SHOWN BY HIGHWAY INDICINGS, SLOPE EASEMENTS ARE SHOWN BY SLOPE INDICINGS, AND EASEMENTS FOR POWER OR EASEMENT, AND SUBWATER MANAGEMENT AREAS NOT YET NOW UTILIZED, SHOWN HEREON. THE GRANTS OF THE DEEDS TO WHICH THIS PLAT IS ATTACHED ARE PRIVATE, ARE HEREBY OFFERED FOR DEDICATION TO BALTIMORE COUNTY, MARYLAND, THE OWNER HAS NO PERSONAL REPRESENTATIVES AND RESIDES OUT OF THE COUNTY OF BALTIMORE, MARYLAND, AT NO COST.

NOTE:

- 1. FORMAL IRREVOCABLE OFFERS OF DEDICATION HAVE BEEN MADE
- 2. RECORDING OF THIS PLAT DOES NOT CONSTITUTE OR IMPLY ACCEPTANCE BY THE COUNTY OF ANY STREET, EASEMENT, PARK OR OPEN SPACE, OR OTHER PUBLIC AREA SHOWN ON THIS PLAT
- 3. THIS PLAT MAY EXPIRE IN ACCORDANCE WITH THE PROVISIONS BALTIMORE COUNTY BILL 38-82 (SECTION 22-80).
- 4. RECORDING OF THIS PLAT DOES NOT GUARANTEE INSTALLATION OF STREETS OR UTILITIES BY BALTIMORE COUNTY.
- 5. THE INFORMATION CONTAINED ON THIS PLAT MAY BE SUPERSEDED BY SUBSEQUENT OR AMENDED PLAT
- 6. ADDITIONAL INFORMATION CONCERNING THIS PLAT MAY BE OBTAINED FROM THE OFFICE OF PLANNING AND ZONING AND THE DEPARTMENT OF PUBLIC WORKS.

P.W.A. COMPLETE

FINAL PLAT CHECKED: **WRT**
 PLANNING **5/11/91**
 ENGINEERING **5/18/91**
 STREET NAMES
 HOUSE NOS **924-91**

ASSESSED
TWO 1991

NOTE:

COORDINATES AND HEARINGS SHOWN ON THIS PLAT ARE REFERRED TO THE SYSTEM OF COORDINATES ESTABLISHED IN THE BALTIMORE COUNTY METROPOLITAN DISTRICT AND ARE BASED ON THE FOLLOWING TRAVERSE STATIONS:

11556	N 52 151.65	E 35006.35
11557	N 31 096.92	E 36075.53

GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.

CIVIL ENGINEERS & LAND SURVEYORS
680 KENILWORTH DRIVE, SUITE 100
TOWSON, MARYLAND 21204
(301) 815-0120

COMPUTED BY: W F.

THE
POLITAN

COMPUTED BY: _____

DRAWN BY: R.A.M.

CHECKED BY: C.K.S.

(708

DENSITY CALCULATIONS

GROSS AREA =	710	A.C.
DENSITY BY ZONING= DRB5	26 = 710 ÷ 366	
TOTAL ALLOWED UNITS =	55 + 710 ÷ 39	
PROPOSED DWELLING UNITS =	26	
PARKING SPACES REQUIRED =	26 x 2.2 = 57.2	
PARKING SPACES PROVIDED =	52 SPACES	
LOCAL OPEN SPACES REQUIRED =	26 ÷ 6050' = 9550	
LOCAL OPEN SPACES PROVIDED =	0.000 AC.	
WAVIA APPROVED ON 12-10-86		
AREA OF PLAT	6.762 AC	

NOTE: TRASH COLLECTION, SNOW REMOVAL & ROAD MAINTENANCE ARE TO BE PROVIDED TO THE JUNCTION OF PANHANDLE AND STREET RIGHT OF-WAYS.

ACCESS FOR LOTS 1,5,6 & 11 MUST BE ON HALF AVENUE.

**PETITIONER'S
EXHIBIT** 1104

Filed for record
SAL 03 FOLD 1 2 7
Date OCT 18 1991

Test: *Regina M...*
Clock

RESUBDIVISIONS OF LOTS
1 & 2, 11, 12, 21, 22, 23, 24, 25 & 26

SILVERGATE EAST

11th ELECTION DISTRICT BALTIMORE CO. MD
SCALE: 1"=50' DATE: 10-15-87
HIS SITE IS IN THE WHITEMARSH SEWERSHED
R.G. WAS APPROVED ON 8-15-87

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